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From: Wyatt Rowe
Sent: Monday, April 11, 2022 3:18 PM
To: OCRComplaint@hhs.gov
Subject: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA
Attachments: Highland Regional Hosp Med Record request 3-25-22.docx; HCA 10 Pg Lecal Doc 3-25-22.pdf

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

863-799-4806

(Please preserve my privacy of this number)

missionlen@hotmail.com

Date, April 11, 2022

U.S. Department of Health and Human Services

Office for Civil Rights Headquarters

200 Independence Avenue, S.W.

Room 509F HHH Bldg.

Washington, D.C. 20201

1-800-368-1019

OCRComplaint@hhs.gov

COMPLAINT OF FORGERY AND MEDICAL PRIVACY CONCERNS

Complaint against "Highland Regional Medical Center-HCA" Sebring Florida (Patient MRN# D000253359)

What is this all about?

This is about someone from an HCA hospital fraudulently signing a 10 page, electronic legal document with my name on every page of the document (See Attached) without my permission and without my knowledge. I was not determined to be incompetent in any way, shape or form. Consequently I was never in need of a patient representative representing me at the time of signing and nor was it necessary I have any power of attorney representing me. I am the one and only person responsible to electronically sign the HCA hospital 10 page legal documents; let me explain.

Who I am?

I am 67 years old and live in Sebring, Florida. I am a 15 year Veteran of the United States Coast Guard and was ultimately responsible for providing safety to all mariners as well as defending our Country's Constitution, inter alia. As a Veteran, I am indigent and I receive all my medical needs from the Veterans Administration (VA) at very little cost. I mention the VA because they are the party that scheduled my appointment with HCA, on March 25th, 2022 at 8:00 AM, not me. The appointment was as a 2nd opinion of a Dexa Scan, bone density testing procedure.

Who is the person that signed the HCA legal document?

The person who signed the 10 pages of legal documents identified them self as "**Stem Back**" and initials "**SB**". They furthered identified them self as the "Patient" according to the legal document. The electronic signing of the illegal document was electronically witnessed by a "**Mancilla Julio**" and a compelling perp in the debacle. The document was signed at 9:00 AM the morning of my appointment; however, I left the hospital 20 minutes earlier. Presumably the signer was an employee or representative of HCA, not a representative for me.

So the story goes;

The serious concerns are with the hospital conglomerate, HCA Healthcare. I recently visited one of their 200+ hospitals nationwide, "Highland Regional Medical Center – HCA" located in my community of Sebring, FL.

I made the appointment as scheduled by the VA with HCA radiology, a dexta scan procedure scheduled at 8:00 AM, March 25th; however, the appointment was not completed because HCA required me to sign off on 10 pages of electronic, legal documents on an i-Pad they provided. According to HCA, this 10 page legal documents was a *consent form*. 10 pages of legal documents for a patient *consenting* HCA to provide medical services???? The i-Pad *consent form* prevented me from engaging any comments, concerns inter alia on the i-Pad electronic document. It was an "all or nothing" document. Because I did not comfortably understand the legal language of the "all or nothing", electronic i-Pad document, I could not electronically sign the document in good faith, so I didn't sign the document. It might as well been written in Vietnamese, both equally misunderstood. Because I did not sign the 10 page electronic legal *consent form* document, HCA refused to follow through with the radiology appointment procedure; so I went home.

As mentioned I arrived at the appointment at the scheduled time and date. As part of the check-in procedure (I will explain more of their check-in procedure further on down) they impounded my Drivers License and placed it in a see through folder with another document(s) for any staff of HCA to see. After reviewing the so called "*consent form*" and not signing, I left the hospital around 8:40 AM, they never returned my DL and I didn't remember to ask for its return to me.

I arrived home at 8:54 AM and as soon as I entered my home, the phone was ringing. I immediately answered it. The call was from someone from the HCA hospital and only identified them self; "*this is Registration over here at the hospital*". The caller said I left my ID (DL) and I said I would go by soon and pick it up. I informed him that I was not signing the legal document and he told me "...*the consent form is for your consent of treatment...*" a 10 page "Consent Form"? I didn't disagree with him, but the 10 page electronic document was hardly a consent form for treatment. It was more largely a legal document protecting HCA legally, presumptively protecting HCA from any wrong doing and liability for services is more what the document was. That's like the infrastructure bill that was 5% infrastructure. With that said, the 10 pages was more so protecting of HCA and less so protecting the patient. Please read the document (HCA calls *forms*) and make your determination of what the legal document really is and if it is in compliant to HIPPA Rules and Regulations. He also said "*we could go over those forms with you if you'd like...*" I didn't say this, but it was a little late and surely I perceived such differently. *Go over those forms...* even with his help, I still don't think I would sign what they called "*consent forms*". I also asked if I didn't sign the so called "*consent form*", could I still get services. He told me I would have to ask security. I am hard of hearing and my phone number 941-799-4806 digitally saved the conversation of the caller only on my CapTel phone. I can't save the conversation to a document, but I can transcribe the conversation if required in the investigation.

Around 10:00 AM, when I returned to HCA to pick up my DLs they impounded, I asked security if I didn't sign the so called "*consent form*", could I still get services and he said "*no*". At the time, I was unaware that the so called "*consent form*" was already signed and according to medical record documents it was signed at 9:00 AM the same morning. At the time I was unaware that the 10 page legal document was already signed by the mysterious "Stem Back" until I received my medical record hard copies a week later.

A little more of what I have already mentioned. I personally gave HCA a written request for my medical records (See Attached). I received the hard copy medical records timely by way of the USPS a week later. Among other things in the request, was a hard copy of the infamous, 10 page, electronic legal document they referred as a "*consent form*". This "*consent form*" had my name on all 10 pages; however, the document was signed by the mysterious Stem Back, forged if you will by someone I have no knowledge who that party is, was, or how they are connected to me.

As already mentioned the mysterious person who signed the electronic, legal 10 page document was a "Stem Back" and initials "SB" and identified themselves as the "Patient". It was electronically witnessed by "Mancilla Julio". It was signed at 9:00 AM the morning of my appointment; however, I left the hospital 15 or 20 minutes earlier.

Lastly, I belong to a monthly legal service, LegalShield and I spoke to someone from DSK law firm in Tampa Florida about my concerns. They agreed with me that that illicit signing of the electronic legal documents in my name was against the law and advised me to contact you. He further saw such as a civil justice or civil rights complaint and entitled to damages. We shall see, but I am more concerned with HCA's patients and procedures and the forgery itself. I ask that your department examine the 10 page *consent form* to my concerns and do whatever it takes for HCA to change those procedures, particularly security's job to

protect patients, not HCA. Impounding DLs and making it available to all staff does not protect patients and violates the privacy of the patient. When you do business at any bank, they ask to see your DL to make sure you are who you are and then return it to you. They don't put in a clear envelope and they don't share it with any other staff in the bank. For what purpose is HCA making my DL information available to HCAs entire staff ?

After security sees your DL and confirms who you are, they additionally use that information on a wrist band. Why are they impounding DLs when information of who you are is already been verified and securely posted on a wrist band? Why don't they put my DLs ID number on the wrist band as well? This is a Privacy concern of patients in the future.

More Background on Security and actions of Bad Faith;

It doesn't hurt to repeat myself, but with more detail. On the morning of the appointment in question, I was required to start the check-in with Security at the front door. Standing in line kept the automatic door open and I was cold.

Security required me to hand over my Driver's License. Already mentioned, but I will go over it again with more of Security procedures happening after. Security impounded my DL and put it in a 12x9 inch clear envelope. After that I don't know what they did with this private information document. They then put a wrist band around my wrist that had my name, sex (they didn't ask if I was transgender, trans sexual or my gender at birth), the city of Sebring, my age, my DOB, the date, the name of the hospital, Acct# and some U# number and a scanning QR code.

Then security printed a paper badge with my name and other information and instructed me to wear the glued badge on my chest area, which I did and not really thinking at the time that it was an invasion of my privacy. So then I go to the counter and they give me an i-Pad to finish the check-in electronically. All staff can see who I am, including those who don't have authority to know who I am. So I am sitting in the waiting area with more than a dozen people who can see my name on my chest and I can see their names as well. I didn't think quickly enough that the privacy of my name was compromised. Isn't this security procedure another violation of my privacy? Whoever handles this case, they should correct the procedures to not impound DLs and stop making people wear a badge on their chest with their names on the badge. Is not the wrist band information enough without a badge and without impounding DLs? That is totally unnecessary and more violations of privacy. They absolutely have to change their check-in procedures to insure the privacy of patients in the future. Based on my entire experiences with HCA, they need to change how they do business in the future. Let my experiences be a proverbial lesson taken seriously to help other patients in the future to secure their privacy.

Possibility

There is a credible likelihood to the mysterious person that leads to compromising privacy issues. When at the hospital; after I decided not to sign the electronic, legal so called *consent form*, I reset the i-Pad. I then returned the i-Pad to the desk. It is possible that the HCA staff negligently never logged me out after returning the i-Pad. So, HCA likely never inspected the i-Pad and handed the uninspected i-Pad with my name on it to the next victim so to speak and they received the i-Pad with me still logged in with my name and personal information. Why the i-Pad didn't reset the entire electronic document back to the very beginning is negligence upon HCA. By appearances to this scenario, the mysterious person Stem Back failed to notice my name on the document and signed it unwittingly under my name on the legal document. I don't hold Back responsible.

What is further inexcusable; the electronic document had a "**Witness Signature and Title: Electronically witnessed by Mancilla Julio, 03/25/2022_09:00:06 am** (See page 10 of attached 10 page *consent form*)" Who knows how many thousands of patients this has happened to before me? Why HCA hasn't secured the procedure protocols of the electronic document and insured the electronic document's privacy and any other measures preventing this from happening, is on HCA. Why the HCA employee negligently never inspected the i-Pad before handing it off to another patient is no excuse to avoid criminal and civil liabilities. Why the "Witness Signature" of Mancilla Julio certified that the document as me is more negligence of HCA.

Understandably people are negligent and make mistakes from time to time, including me. Let me give you an example of being responsible for mistakes and paying the price for their negligence. Suppose I am driving down the road and unwittingly I travel 10 to 15 mph above the speed limit. A cop pulls me over for speeding. I tell the cop I mistakenly was not paying attention and I am sorry that I was traveling too fast and I will pay more attention in the future. He gives me a ticket and I pay the fine. Such negligence of me not paying attention to the rules of the road is on me and there is a price to pay for my negligence. Similarly, the negligence of HCA and the Highland Regional Medical Center has a penalty for their negligence and errors created in HCA legal documents. Pay the fine and let us all go on with our lives and learn from your mistakes.

I am willing to bet that a Stem Back may have had an appointment at the hospital at the time of the fraudulent signing of 9:00 AM, March 25, 2022. Again, that does not excuse HCA's responsibility; however, it may excuse Stem Beck's negligence and responsibility that was caused by HCA's negligence. If this scenario is found to be untrue, then HCA must be more seriously responsible.

Conclusion;

Please examine the electronic, 10 page legal document, *consent form* on the HCA i-Pad and determine if it is in fact a *consent form*. I believe the document is much more legal documents to protect HCA from liability when they make mistakes and they are requiring me, and the patient, to consent not to hold them accountable when they do make mistake. I would like the state of FL to sign a similar document in not holding me liable when I mistakenly travel too fast down the highway. 10 pages are ridiculous for a *consent form*. So please examine the document and determine if it is a *consent form* and meets the requirement of HIPPA Rules and Regulations. Also if you will please examine the document to see if it is written in a language for the average intelligent persons to understand. Maybe there should be 2 different documents; 1. for an actual consent form; 2. Another document should concern liability of HCA according to HIPPA Rules and Regulations. Please check it out. HCA owns a lot of hospitals across the nation. HCA is a messy company.

Laws, torts, interalia compromised by HCA;

I researched the internet and I found some of the laws that appear HCA has compromised. Like I have mentioned I don't have a real understanding of the legal language. I have no higher education in anything and I may be entirely off course. I did a search of federal and the state of Florida laws using terms like Fraud, Forgery, HIPPA etc. and the following is what I came up with that appears relevant negligence and to the forging of a HCA electronic, legal *consent forms* and other issues of privacy. I can't be sure the following are accurate to my concerns.

FLORIDA LAW COMPLAINTS

FL ST § 766.103. Florida Medical Consent Law Torts FL statute §766.103; (From FindLaw)

<https://codes.findlaw.com/fl/title-xlv-torts/fl-st-sect-766-103.html>

(4)(a) *A consent which is evidenced in writing and meets the requirements of subsection (3) shall, if validly signed by the patient or another authorized person, raise a rebuttable presumption of a valid consent.* I did not authorize HCA, or the mysterious Back to sign any legal documents or otherwise on my behalf.

(b) *A valid signature is one which is given by a person who under all the surrounding circumstances is mentally and physically competent to give consent.* The signing of the 10 page document was not my valid signature. Additionally I am mentally and physically able to consent to making all decisions in my care decisions. Albeit I did not receive services, HCA forged the so called "*consent form*" consenting for services I never received and never authorized.

Florida Statutes Title XLV. Torts § 766.1185. Bad faith actions (From FindLaw)

<https://codes.findlaw.com/fl/title-xlv-torts/fl-st-sect-766-1185.html>

Not sure if or how this law was compromised; however, "Bad Faith" dictionary definition is *the fraudulent deception of another person; the intentional or malicious refusal to perform some duty or contractual obligation; but when the rights of someone else are intentionally or maliciously infringed upon, such conduct demonstrates bad faith. It is the opposite of Good Faith, the observance of reasonable standards of fair dealings in trade that is required of every merchant.* I don't think it is arguable in this whole debacle that HCA acted in "Bad Faith" at the very least and concerning to their medical practices and procedures as well.

FL § 817.034 Florida Communications Fraud Act

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0800-0899/0817/Sections/0817.034.html

(d) "*Scheme to defraud*" means a systematic, ongoing course of conduct with intent to defraud one or more persons... There is no arguing intent, but what was their motive/reason?

(a) "*Communicate*" means to transmit or transfer or to cause another to transmit or transfer signs, signals, writing, images, sounds, data, or intelligences of any nature in whole or in part by mail, or by wire, radio, electromagnetic, photoelectronic, or photooptical system. The i-Pad is a communication device as defined.

Overview of Florida Forgery Laws

Florida criminalizes several offenses stemming from the commission of forgery. A person commits forgery when, with intent to injure or defraud any person, he or she "falsely makes, alters, forges or counterfeits" any written instrument specified in the state forgery statute. Documents specifically prohibited from being forged include:

I believe HCA and the mysterious Stem Back aka SB met the definition of forgery; however, intent might be arguable in their defense. Negligence is inarguable in their defense. I do not know what they expected by forging the 10 page, electronic legal document. You will have to ask them, but whatever the reason, it is still against all laws and all parties need to be punished according to federal and Florida state law.

Florida Health Enforcement

<https://www.floridahealth.gov/licensing-and-regulation/enforcement/index.html>

The Florida Department of Health investigates complaints and reports involving health care practitioners regulated by the department and enforce appropriate Florida Statutes. Action which may be taken against health care practitioners is administrative in nature (e.g., reprimand, fine, restriction of practice, remedial education, administrative cost, probation, license suspension or license revocation). The department cannot represent you in civil matters to recover fees paid or seek remedies for injuries. You may wish to consult a private attorney regarding these matters.

According to the Florida Health web address, HCA may have compromised several Florida statutes concerning citizen's medical rights inter alia and other Florida statutes.

FEDERAL LAW COMPLAINTS**U.S. Department of Health & Human Services****Health Information Privacy**

<https://www.hhs.gov/hipaa/index.html>

Filing a Complaint;

If you believe that a HIPAA-covered entity or its business associate violated your (or someone else's) health information privacy rights or committed another violation of the Privacy, Security, or Breach Notification Rules, you may file a complaint with the Office for Civil Rights (OCR). OCR can investigate complaints against covered entities (health plans, health care clearinghouses, or health care providers that conduct certain transactions electronically) and their business associates. I believe my privacy rights were violated

8 U.S. Code § 1324c - Penalties for document fraud (Cornell website)

<https://www.law.cornell.edu/uscode/text/8/1324c>

(a)Activities prohibited *It is unlawful for any person or entity knowingly—*

(1) *To forge, counterfeit, alter, or falsely make any document for the purpose of satisfying a requirement of this chapter or to obtain a benefit under this chapter...*

There are other subsections that appear relevant to criminal document fraud.

Filing a Civil Rights Complaint

OCR investigates complaints from individuals or groups who believe that they have experienced discrimination from an agency that receives funding from the Justice Department.

HIPPA Rules and Statutes are too extensive for me to be specific or quite understood; but I included some pertinent information that I believe relevant.

The HIPPA Statutes Include;

The Health Insurance Portability and Accountability Act of 1996

Summary of the privacy provisions

The HITECH Act of 2009

Includes the conference committee report on the HIPAA provisions and the full text of the legislative changes

HIPPA Final Regulations

The HIPAA Regulations Section-By-Section

Index to and text of the privacy and security regulations by section with commentary from the *Federal Register*; updated to include all additions and amendments through January 2013.

Modifications to the HIPAA Privacy, Security, Enforcement, and Breach Notification Rules

Omnibus final regulations published in the January 25, 2013 *Federal Register*.

Enforcement Regulations

Interim final rule on the HIPAA enforcement regulations to provide for the increased penalties based on the four tiers of culpability, published by HHS on October 30, 2009.

Complete Text of the HIPAA Privacy Regulations

This full text version from the HHS Office of Civil Rights includes the complete text of the regulation, including the August 2002 revisions. Note that these regulations DO NOT include changes made in the HITECH Act of 2009.

And the list goes on to 10s of thousands of pages of documentation.

U.S. Department of Health & Human Services

<https://www.hhs.gov/>

The government website address states they enforce rules and regulations of **HIPPA**. After reviewing a small part of a very large part of **HIPPA** enforcement, it appears HCA may have compromised several federal statutes of forgery of my medical records as well as other issues of privacy. According to the Filing a Complaint department I can file charges when violations of my (or someone else's) health information privacy rights have been compromised, or committed another violation of the Privacy, Security, or Breach Notification Rules. If I read it right, the department may enforce punitive/fines punishment as well as punitive damages to the victim.

I think it is appropriate to file a complaint to with the U.S. Department of Health and Human Services

PARTY CONTACTS TO MY CONCERNS OF MY COMPLAINT;

Highlands Regional Medical Center

3600 South Highlands Avenue

Sebring, Florida, 33870

Phone 863-385-6101

Patient MRN# **D000253359**

HCA Healthcare (believe this is corporate HDQ)

One Park Plaza

Nashville, TN 37203

Phone: (615) 344-9551

<https://hcahealthcare.com/>

Attachments;

- HCA, 10 Page so called patient *consent form* with forged signatures of the mysterious Stem Back aka SB.
- Medical Request hand delivered to HCA the morning of the appointment, March 25th, 2022.

HCA Florida

ROWE, LEONARD W

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03/25/2022

JENNIFER AZBELL WALKER

DOB: 05/10/1954

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MR#: D000253359

Conditions of Admission and Consent for Outpatient Care

In this document, "Patient" means the person receiving treatment. "Patient Representative" means any person acting on behalf of the Patient and signing as the Patient's representative. Use of the word "I," "you," "your" or "me" may in context include both the Patient and the Patient Representative. With respect to financial obligations "I" or "me" may also, depending on the context, mean financial guarantor "Guarantor".

"Provider" means the hospital and may include healthcare professionals on the hospital's staff and/or hospital-based physicians, which include but are not limited to: Emergency Department Physicians, Pathologists, Radiologists, Anesthesiologists, Hospitalists, certain other licensed independent practitioners and any authorized agents, contractors, affiliates, successors or assignees acting on their behalf.

1. Legal Relationship between Hospital and Physicians and Advanced Practice Professionals. I understand and acknowledge that the physicians and advanced practice professionals providing services to me in the hospital are independent contractors and not agents or employees of the hospital. "Advanced Practice Professionals" include, but are not limited to, my treating physicians/ surgeons, radiologists, pathologists, cardiologists, emergency physicians, anesthesiologists, contract physicians, hospital-based physicians, physician assistants, registered nurses, advanced practice registered nurses, certified nurse midwives, certified registered nurse anesthetists, clinical psychologists, clinical nurse specialists, doctors of nursing practice, radiology assistants, and anesthesiology assistants. Independent physicians and Advanced Practice Professionals are responsible for their own actions and the hospital shall not be liable for the acts or omissions of any such independent physicians and/or Advanced Practice Professionals.

2. Consent to Treatment. I consent to the procedures that may be performed during this hospitalization or during an outpatient episode of care, including, but not limited to, emergency treatment or services, and which may include laboratory procedures, x-ray examination, diagnostic procedures, medical, nursing or surgical treatment or procedures, anesthesia, or hospital services rendered as ordered by the Provider. I consent to allowing residents and other individuals enrolled in a healthcare professional education program as part of their training in health care education to participate in the delivery of my medical care and treatment or be observers while I receive medical care and treatment at the Hospital, and that they will be supervised by instructors and/or hospital staff.

3. Consent to Treatment Using Telemedicine. I consent to treatment involving the use of electronic communications ("Telemedicine") to enable health care providers at different locations to share my individual patient medical information for diagnosis, therapy, follow-up, and/or education purposes. I consent to forwarding my information to a third party as needed to receive Telemedicine services, and I understand that existing confidentiality protections apply. I acknowledge that while Telemedicine can be used to provide improved access to care, as with any medical procedure, there are potential risks and no results can be guaranteed or assured. These risks include, but are not limited to: technical problems with the information transmission or equipment failures that could result in lost information or delays in treatment. I understand that I have a right to withhold or withdraw my consent to the use of Telemedicine in the course of my care at any time, without affecting my right to future treatment and without risking the loss or withdrawal of any program benefit to which I would otherwise be entitled.

HCA Florida**ROWE, LEONARD W**

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4. Use of Biological Samples. During your care at the facility, biological samples (such as blood and tissue samples) might be collected from you for purposes of your care. Sometimes, after your visit there might be excess or leftover biological samples no longer needed for your care. These samples are usually discarded. However, sometimes these samples might be used for research within our hospitals and occasionally made available to researchers at external groups such as universities, private companies, advocacy groups, and government agencies. The research can help answer questions about the causes of diseases, how to prevent them, or even how to treat them. Please note that for this kind of research, (i) there might be no practical way to inform you about the details or results of the research (even if it involves genetic research), (ii) generally, no results on tests performed on your samples during the research can be returned to you or entered into your health record, (iii) it is not likely that you will directly benefit from the research, and (iv) there are no plans to compensate or recognize you for use of your samples or any discoveries made during the research. When these samples are used in this manner, your privacy is safeguarded consistent with applicable federal and state privacy laws.

5. Consent to Medication Not Yet FDA Approved and/or Medication Prepared/Repackaged by Outsourcing or Compounding Pharmacy. As part of the services provided, you may be treated with a medication that has not received FDA approval. You may also receive a medication that has been prepared or repackaged by an outsourcing facility or compounding pharmacy. Certain medications, for which there are no alternatives or which your physician recommends, may be necessary for potentially life-saving treatment.

6. Consent to Product Patient Assistance Programs Limited Power of Attorney ("LPOA"). The Provider may be able to get free replacement or reimbursement for the cost of your drugs or medical products from the companies that make them through a patient assistance program sponsored by the companies that make your drugs or medical products and through charity foundations. If the hospital obtains replacement or reimbursement of cost of your drug or medical product from the manufacturer through such programs, the charge for the product or drug will be removed from your bill. Patient assistance programs require you to sign an application form in order for the hospital to obtain replacement or credits of certain drugs administered or devices implanted to qualifying patients. This LPOA allows the Provider and its claims processor to complete and sign your patient assistance program applications for you for so long as this program may be available to you.

I hereby appoint hospital and/or its claims processor, my attorney-in-fact for the sole and exclusive purpose of signing patient assistance program application forms on my behalf, so that hospital may attempt to obtain replacement or credits of certain drugs administered or devices implanted from the companies that make them. I understand that the final decision as to my acceptance in a patient assistance program lies with each pharmaceutical or medical device company and that submission by hospital provides no guarantee or assurance that any application will be approved. I will provide reasonable assistance and additional information and documentation as necessary to support each application. I further understand that: 1) signing this is voluntary; 2) some patient assistance programs may not accept applications via power of attorney and I agree not to hold hospital responsible for such denial; 3) my treatment, payment enrollment, or eligibility for benefits may not be

HCA Florida

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conditioned upon signing this authorization; and 4) I may revoke this authorization at any time by notifying the Provider in writing at

3600 S HIGHLANDS AVE

SEBRING, FL 33870

, however, such revocation will not affect any actions taken prior to facility receiving the revocation.

This LPOA shall be in full force from the date signed and continue for so long as these programs may be available to you.

<input type="checkbox"/>	<p>Yes, I consent to Product Patient Assistance Programs Limited Power of Attorney</p>	<input checked="" type="checkbox"/>	<p>No, I do not consent to Product Patient Assistance Programs Limited Power of Attorney</p>
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7. Consent to Photographs, and Video, Digital and Audio Recordings. I consent to photographs, video, digital or audio recordings, and/or images of me being recorded for patient care, healthcare operations, security purposes and/or the hospital's quality improvement and/or risk management activities. I understand that the facility retains the ownership rights to the images and/or recordings. I will be allowed to request access to or copies of the images and/or recordings when technologically feasible unless otherwise prohibited by law. I understand that these images and/or recordings will be securely stored and protected. Images and/or recordings in which I am identified will not be released and/or used outside of the facility without a specific written authorization from me or my legal representative unless otherwise required by law.

8. Financial Agreement. In consideration of the services to be rendered to Patient, Patient or Guarantor individually promises to pay the Patient's account at the rates stated in the hospital's price list (known as the "Charge Master") effective on the date the charge is processed for the service provided, which rates are hereby expressly incorporated by reference as the price term of this agreement to pay the Patient's account. Some special items will be priced separately if there is no price listed on the Charge Master. An estimate of the anticipated charges for services to be provided to the Patient is available upon request from the hospital. Estimates may vary significantly from the final charges based on a variety of factors, including, but not limited to, the course of treatment, intensity of care, physician practices, and the necessity of providing additional goods and services.

The hospital will provide a medical screening examination as required to all Patients who are seeking medical services to determine if there is an emergency medical condition without regard to the Patient's ability to pay. If there is an emergency medical condition, the hospital will provide stabilizing treatment within its capacity. However, Patient and Guarantor understand that if Patient does not qualify under the hospital's charity care policy or other applicable policy, Patient or Guarantor is not relieved of his/her obligation to pay for these services.

HCA Florida**ROWE, LEONARD W**

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If supplies and services are provided to Patient who has coverage through a governmental program or through certain private health insurance plans, the hospital may accept a discounted payment for those supplies and services. In this event any payment required from the Patient or Guarantor will be determined by the terms of the governmental program or private health insurance plan. If the Patient is uninsured and not covered by a governmental program, the Patient may be eligible to have his or her account discounted or forgiven under the hospital's uninsured discount or charity care programs in effect at the time of treatment. I understand that I may request information about these programs from the hospital.

I also understand that, as a courtesy to me, the hospital may bill an insurance company offering coverage, but may not be obligated to do so. Regardless, I agree that, except where prohibited by law, the financial responsibility for the services rendered belongs to me, the Patient or Guarantor. I agree to pay for services that are not covered and covered charges not paid in full by insurance coverage including, but not limited to, coinsurance, deductibles, non-covered benefits due to policy limits or policy exclusions, or failure to comply with insurance plan requirements.

I also understand that an itemized statement of all charges for which the patient or a third-party payor of patient is being billed by the hospital for items/services rendered to him/her while a patient of the hospital will be available to the patient on a link on each hospital's website. Each patient who has been discharged from the hospital, or his/her legal representative will be able to view the itemized or detailed bill through the website link. The itemized or detailed bill will be updated each time a bill is created, for example, with any rebills or edits or upon request for an itemized or detailed bill. I may obtain a copy of my itemized bill(s) by going to my facility's website.

9. Professional services rendered by independent contractors and Advanced Practice Professionals are not part of the hospital bill. I understand that physicians and other Advanced Practice Professionals may be called upon to provide care or services to me or on my behalf, but that I may not actually see, or be examined by all physicians or other Advanced Practice Professionals participating in my care; for example, I may not see physicians, including but not limited to, my treating physicians/ surgeons, radiologists, pathologists, cardiologists, emergency physicians, anesthesiologists, staff physicians, contract physicians, physician assistants and other Advanced Practice Professionals including those providing radiology, pathology, EKG interpretation, anesthesiology services or telemedicine. I understand that, in most instances, there will be a separate charge for professional services rendered by these providers and that I will receive a bill for these professional services that is separate from the bill for hospital services.

10. Third Party Collection. I acknowledge that the Providers may utilize the services of a third party Business Associate or affiliated entity as an extended business office ("EBO Servicer") for medical account billing and servicing. During the time that the medical account is being serviced by the EBO Servicer, the account shall not be considered delinquent, past due or in default. When the EBO Servicer's efforts to obtain payment have been exhausted due to a number of factors (for e.g., Patient or Guarantor's failure to pay or make a payment arrangement after insurance adjustments and payments have been credited, and/or the insurer's denial of claim(s) or benefits is received), the EBO Servicer will send a final notice letter which will include the date that the medical account may be returned from the EBO Servicer to the Provider. Upon return to the Provider by the EBO Servicer, the Provider may place the account back with the EBO Servicer, or, at the option of the Provider, may determine the account to be delinquent, past due and in default.

HCA Florida**ROWE, LEONARD W.**

81245265

CLI

03/25/2022

JENNIFER AZBELL WALKER

DOB: 05/10/1954

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MR#: D000253359

11. Assignment of Benefits. Patient assigns all of his/her rights and benefits under existing policies of insurance providing coverage and payment for any and all expenses incurred as a result of services and treatment rendered by the Provider and authorizes direct payment to the Provider of any insurance benefits otherwise payable to or on behalf of Patient for the hospitalization or for outpatient services, including emergency services, if rendered. Patient understands that any payment received from these policies and/or plans will be applied to the amount that Patient or Guarantor has agreed to pay for services rendered during this admission and, that Provider will not retain benefits in excess of the amount owed to the Provider for the care and treatment rendered during the admission.

I understand that any health insurance policies under which I am covered may be in addition to other coverage or benefits or recovery to which I may be entitled, and that Provider, by initially accepting health insurance coverage, does not waive its rights to collect or accept, as payment in full, any payment made under different coverage or benefits or any other sources of payment that may or will cover expenses incurred for services and treatment.

I hereby **irrevocably appoint** the Provider as my authorized representative to pursue any claims, penalties, and administrative and/or legal remedies for any and all benefits due me for the payment of charges associated with services and treatment rendered by the Provider. These authorized actions include administrative and non-administrative appeals of any denial or underpayment of benefits or coverage, litigation, other forms of dispute resolution in any forum or for any type of relief (including monetary and equitable) available under applicable laws, including without limitation all provisions of the Employee Retirement Income Security Act of 1974, on my behalf against any responsible payer, employer-sponsored medical benefit plans, third party liability carrier or, any other responsible third party ("**Responsible Party**"). I also transfer and assign to the Provider all of my rights to demand and receive the production of or access to any documents or information, including without limitation, copies of health plan documents and materials, from any entity or person to the fullest extent of my rights to do so under my health plan and applicable laws. The foregoing rights are assigned in their entirety without limitation and without reservation of any part or aspect thereof. This assignment shall not be construed as an obligation of the Providers to pursue any such right of recovery. I acknowledge and understand that I maintain my right of recovery against my insurer or health benefit plan and the foregoing assignment does not divest me of such right.

I agree to take all actions necessary to assist the Provider in collecting payment from any such Responsible Party should the Provider(s) elect to collect such payment, including allowing the Provider(s) to bring suit against the Responsible Party in my name. If I receive payment directly from any source for the medical charges associated with my treatment acknowledge that it is my duty and responsibility to immediately pay any such payments to the Provider(s).

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JENNIFER AZBELL WALKER

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12. Medicare Patient Certification and Assignment of Benefit. I certify that any information I provide in applying for payment under Title XVIII ("Medicare") or Title XIX ("Medicaid") of the Social Security Act is correct. I request payment of authorized benefits to be made on my behalf to the hospital or hospital-based physician by the Medicare or Medicaid program.

13. Private Room. I understand and agree that I am (or Guarantor is) responsible for any additional charges associated with the request and/or use of a private room.

14. Outpatient Medicare Patients. Medicare does not provide coverage for "self-administered drugs" or drugs that you normally take on your own, with only a few limited exceptions. If you get self-administered drugs that aren't covered by Medicare Part B, we may bill you for the drug. However, if you are enrolled in a Medicare Part D Drug Plan, these drugs may be covered in accordance with Medicare Part D Drug Plan enrollment materials. If you pay for these self-administered drugs, you can submit a claim to your Medicare Part D Drug Plan for a possible refund.

15. Communications About My Healthcare. I authorize my healthcare information to be disclosed for purposes of communicating results, findings, and care decisions to my family members and others I designate to be responsible for my care. I will provide those individuals with a password or other verification means specified by the hospital. I agree I may be contacted by the Provider or an agent of the Provider or an independent physician's office for the purposes of scheduling necessary follow-up visits recommended by the treating physician.

16. Consent to Telephone Calls, Email or Text Message for Financial Communications. I authorize the use of any email address or cellular telephone number I provide for receiving information relating to my financial obligations, including, but not limited to, payment reminders, delinquent notifications, instructions and links to hospital Patient billing information. I agree that, in order for you, or your EBO Servicers and collection agents to service my account or to collect any amounts I may owe, I expressly agree and consent that you or your EBO Servicer and collection agents may contact me by telephone, on a recorded line, at any telephone number I have provided or you or your EBO Servicer and collection agents have obtained or, at any number forwarded or transferred from that number, regarding the hospitalization, the services rendered, or my related financial obligations. Methods of contact may include using pre-recorded/artificial voice messages and/or use of an automatic dialing device, as applicable.

By my consent below, I authorize the use of any email address or cellular telephone number I provide for receiving information relating to my financial obligations, including, but not limited to, payment reminders, delinquent notifications, instructions and links to hospital Patient billing information. I understand and acknowledge that my patient account number may appear in the email or text.

HCA Florida

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17. Consent to Email, Telephone Calls or Text Message for Healthcare Information, Discharge Instructions and Other Communications. If at any time I provide an email address or telephone number (whether wireless or a landline) to a Provider or EBO Servicer, I consent to receive messages from Providers and EBO Servicers regarding discharge instructions and other healthcare communications (including without limitation information about programs or services that might be of interest to me) at the email or telephone number (whether wireless or landline) that I have provided or you or your EBO Servicer have obtained or, at any text number forwarded or transferred from that number. These discharge instructions may include, but not be limited to: post-operative instructions, physician follow-up instructions, dietary information, and prescription information. The other healthcare communications may include, but are not limited to communications to family or designated representatives regarding my treatment or condition, or reminder messages to me regarding appointments for medical care, information about insurance coverage/eligibility, referrals, available treatment options and capabilities, health insurance plans, patient surveys and programs and services that might be of interest to me. I understand that providing my consent to receive such communications is not a condition of receiving services or care from Providers.

18. Use and Disclosure of Information. I consent to Providers using and disclosing healthcare information about me for purposes of treatment, payment and healthcare operations. I also consent to my health information being used and disclosed for public health and other purposes permitted by applicable law. Information covered by this consent includes, without limitation, history and physical records, emergency records, laboratory reports, operative reports, physician progress notes, nurse notes, consultations, psychological and/or psychiatric reports, drug and alcohol treatment records and discharge summaries. This consent specifically applies to genetic information and information concerning psychological conditions, psychiatric conditions, intellectual disability conditions, substance abuse disorder and chemical dependency conditions and/or infectious diseases including, but not limited to, blood borne diseases, such as HIV and AIDS. Uses and disclosures covered by this consent include, but are not limited to (i) exchanging healthcare information about me regarding a prior admission(s) and encounters to other healthcare providers and entities to coordinate Patient care or for case management purposes; (ii) releasing health care information about me to any person or entity liable for or involved in payment on the Patient's behalf including to verify coverage, address payment questions, or for any other purpose related to benefit payment; (iii) releasing healthcare information about me to my employer's designee when the services delivered are related to a claim under worker's compensation. If I am covered by Medicare or Medicaid, I authorize the release of my healthcare information to the Social Security Administration or its intermediaries or carriers for payment of a Medicare claim or to the appropriate state agency for payment of a Medicaid claim. Provider participates, or may in the future participate, in Health Information Exchanges (HIEs) or other organizations with healthcare providers, insurers, and/or other health care industry participants and their subcontractors in order for these individuals and entities to share health information for treatment, payment, health care operations and other purposes permitted by law, to accomplish goals that may include but not be limited to: improving the accuracy and increasing the availability of patient health records and aggregating

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and comparing patient information for quality improvement purposes information concerning psychological conditions, psychiatric conditions, intellectual disability conditions, chemical dependency conditions and/or infectious diseases including, but not limited to, blood borne diseases, such as HIV and AIDS. Unless I notify Provider in writing that I desire to opt out of participation, I consent to health information about me being shared with participants in HIEs and other organizations as described above.

19. Other Acknowledgements.

Personal Valuables. I understand that the hospital maintains a safe for the safekeeping of money and valuables, and the hospital shall not be liable for the loss of or damage to any money, jewelry, documents, furs, fur coats and fur garments, or other articles of unusual value and small size, unless placed in the safe, and shall not be liable for the loss or damage to any other personal property, unless deposited with the hospital for safekeeping. The liability of the hospital for loss of any personal property that is deposited with the hospital for safekeeping is limited to the greater of five hundred dollars (\$500.00) or the maximum required by law, unless a written receipt for a greater amount has been obtained from the hospital by the Patient. The hospital is not responsible for the loss or damage of cell phones, glasses or dentures or personal valuables unless they are placed in the hospital safe in accordance with the terms as stated above.

Weapons/Explosives/Drugs. I understand and agree that if the hospital at any time believes there may be a weapon, explosive device, illegal substance or drug, or any alcoholic beverage in my room or with my belongings, the hospital may search my room and my belongings located anywhere on hospital property, confiscate any of the above items that are found, and dispose of them as appropriate, including delivery of any item to law enforcement authorities.

Patient Visitation Rights. I understand that I have the right to receive the visitors whom I or my Patient Representative designates, without regard to my relationship to these visitors. I also have the right to withdraw or deny such consent at any time. I will not be denied visitation privileges on the basis of age, race, color, national origin, religion, gender, gender identity and gender expression, and sexual orientation or disability. All visitors I designate will enjoy full and equal visitation privileges that are no more restrictive than those that my immediate family members would enjoy. Further, I understand that the hospital may need to place clinically necessary or reasonable restrictions or limitations on my visitors to protect my health and safety in addition to the health and safety of other Patients. The hospital will clearly explain the reason for any restrictions or limitations if imposed. If I believe that my visitation rights have been violated, I or my representative has the right to utilize the hospital's complaint resolution system.

Additional Provision for Admission of Minors/ Incapacitated Patient. If I am signing as legal guardian, I acknowledge and verify that I am the legal guardian or custodian of the minor/incapacitated patient.

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20. Patient Self Determination Act.

I have been furnished information regarding Advance Directives (such as healthcare or medical power of attorney and, living wills). Please check the box next to one of the following applicable statements:

<input type="checkbox"/>	I executed Advance Directive(s) and have been requested to supply a copy to the hospital	<input type="checkbox"/>	I have not executed Advance Directive(s), wish to execute one or more and have received information on how to execute an Advance Directive	<input checked="" type="checkbox"/>	I have not executed an Advance Directive and do not wish to execute one at this time
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21. Notice of Privacy Practices. I acknowledge that I have received the hospital's Notice of Privacy Practices, which describes the ways in which the hospital may use and disclose my healthcare information for its treatment, payment, healthcare operations and other prescribed and permitted uses and disclosures. I understand that this information may be disclosed electronically by the Provider and/or the Provider's business associates. I understand that I may contact the hospital Privacy Officer designated on the notice if I have a question or complaint.

Acknowledge (Initial):

SB
Initials Required

22. Acknowledgement of Notice of Patient Rights and Responsibilities. I have been furnished with a Statement of Patient Rights and Responsibilities ensuring that I am treated with respect and dignity and without discrimination or distinction based on age, gender, disability, race, color, ancestry, citizenship, religion, pregnancy, sexual orientation, gender identity or expression, national origin, medical condition, marital status, veteran status, payment source or ability, or any other basis prohibited by federal, state, or local law.

Acknowledge (Initial):

SB
Initials Required

HCA Florida**ROWE, LEONARD W**

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03/25/2022

JENNIFER AZBELL WALKER

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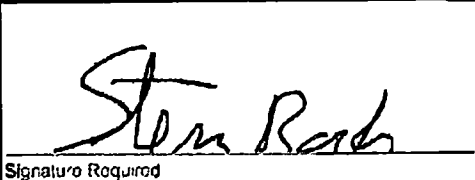
MR# D000253359

23. Acknowledgement: I have been given the opportunity to read and ask questions about the information contained in this form, specifically including but not limited to the financial obligation's provisions and assignment of benefit provisions, and I acknowledge that I either have no questions or that my questions have been answered to my satisfaction and that I have signed this document freely and without inducement other than the rendition of services by the Providers.

Acknowledge (Initial):


Initials Required

The person who signed is not the patient recognized at the top the page, nor are they my Patient Rep, my legal guardian or custodian or any other relationship to me.

Date: 03/25/2022	I, the undersigned, as the Patient or Patient Representative, or, for a minor/incapacitated Patient, as the legal guardian or custodian, hereby certify I have read, and fully and completely understand this Conditions of Admission and Consent for Outpatient Care, and that I have signed this Conditions of Admission and Consent for Outpatient Care knowingly, freely, voluntarily and agree to be bound by its terms. I have received no promises, assurances, or guarantees from anyone as to the results that may be obtained by any medical treatment or services. If insurance coverage is insufficient, denied altogether, or otherwise unavailable, the undersigned agrees to pay all charges not paid by the insurer.
Time: 09:00:06 am	
Patient/Patient Representative Signature:  Signature Required If you are not the Patient, please identify your Relationship to the Patient. (Mark relationship(s) from list below): Patient <input type="checkbox"/> Patient is Unable to Sign	Witness Signature and Title: Electronically witnessed by Mancilla Julio 03/25/2022 09:00:06 am Additional Witness Signature and Title: (required for Patients unable to sign without a representative or Patients who refuse to sign) <hr/> HCA Florida COA-COS 12.01.2020

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

941-799-4806

missionlen@hotmail.com

Date March 25, 2022

Highlands Regional Medical Center

3600 S Highlands Ave,

Sebring, FL 3387

Phone: (863) 385-6101

Dear Person,

This is a medical request. Both the **HIPAA Privacy** Rule and Florida laws give rights to persons for their medical records. The HIPAA Privacy Rule sets standards that apply to records held by health care providers across the nation. Florida law also sets standards for records held by health care providers within the state.

I am making medical record request in asking for all copies prior, during and after regarding my medical visit of March 24th, 2022 concerning reports to Dexa Scan imaging procedures and results provided by your medical center. The visit concerns all documents, media and related information to my visit before, during and after the visit. I am asking for this information according to Florida Statute Title XXXII-Chapter 456.057 and my rights according to HIPPA regulations. HIPAA not only allows healthcare provider to give a copy of my medical records directly to me, the patient, it requires in most cases, the copy must be provided to me within 30 days of the request.

The following medical records and related information is what I am requesting to include the following;

- All prior communications with the VA and all prior communications by this medical center leading up to my appointment medical procedure of my Dexa Scan imaging, or any other information concerning.
- All documents, reports and media image result from the Dexa Scan imaging procedure of March 24, 2022, or any other related information concerning.
- All post documents, reports, media and communications you have shared with the VA after the Dexa Scan imaging was completed, or any other information concerning.

Please keep my requests for medical information private, particularly private to the VA. I am asking for all this according Florida Statutes and HIPPA rules. If you think my request is a lot to ask for, and it is and normally I would not request such, but I have my reasons that are private.

Note; If it is alright with you, I prefer to pick up what asked for at the hospital.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard

"Semper Paratus," Always Ready

missionlen@hotmail.com

From: OCR Mail [OCRMail@hhs.gov]
Sent: Monday, April 11, 2022 3:21 PM
To: Wyatt Rowe
Subject: Automatic reply: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA

Thank you for contacting the U.S. Department of Health and Human Services, Office for Civil Rights (OCR). OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

We are in the process of reviewing your correspondence. We will complete our initial review as quickly as possible.

For information about OCR's authorities and COVID-19, please visit:
<https://www.hhs.gov/ocr/index.html>.

If you have general questions about the novel coronavirus, COVID-19, please go to the Centers for Disease Control website at <https://www.cdc.gov>.

For additional information about OCR, including the complaint review process, and our HIPAA, civil rights, and conscience and religious freedom regulations, please see the following links:

<https://www.hhs.gov/ocr/complaints/index.html>

<https://www.hhs.gov/hipaa/index.html>

<https://www.hhs.gov/civil-rights/index.html>

<https://www.hhs.gov/conscience/index.html>

If you have any additional questions or need a reasonable accommodation, please contact OCR's Customer Response Center at 1-800-368-1019, Monday through Friday, 8:00 am to 6:00 pm, ET.

Please do not reply to this email. Thank you.

NOTE: This e-mail may contain sensitive and/or privileged information. If you are not the intended recipient, please notify the sender immediately and destroy this e-mail. Please be advised that communication by unencrypted email presents a risk of disclosure of the transmitted information to, or interception by, unintended third parties. Your use of email to communicate Protected Health Information or other Personally Identifiable Information with the Office for Civil Rights indicates that you acknowledge and accept the possible risks associated with such communication. If you do not wish to have your information sent by email, please contact the sender immediately.

English	If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.
Español - Spanish	Si usted habla español marque 1-800-368-1019 (o a la línea de teléfono por texto TTY 1-800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.
中文 - Chinese	如果你讲中文，请拨打1-800-368-1019 (打字电话：1-800-537-7697),

	你将被连接到一位讲同语种的翻译员为你提供免费服务。
Tiếng Việt - Vietnamese	Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.
한국어 - Korean	한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.
Tagalog (Filipino)	Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-368-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.
Русский - Russian	Если вы говорите по- русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно.

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Monday, April 25, 2022 11:49 AM
To: OCRComplaint@hhs.gov
Subject: FW: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA
Attachments: Highland Regional Hosp Med Record request 3-25-22.docx; HCA 10 Pg Lecal Doc 3-25-22.pdf

Dear Person.

I emailed a HIPPA complaint at this email address 2 weeks ago (See below complaint dated 4/11/22 and attachments above) and received an immediate email reply from OCR Mail [OCRMail@hhs.gov]. No transaction number or any other identification was given in your immediate reply.

I am requesting an update of the review of my complaint filed 2 weeks ago (See below complaint dated 4/11/22 and attachments above). Please confirm you are reviewing the matter and an estimated time I might expect your response.

Note I just called the number you supplied to me in your email reply **800-368-1019**. The number was not helpful whatsoever and disabling to connect me to a live person during normal business hours.

TY for your time. Please don't allow the hospital conglomerate HCA servicing 100s of thousands of patients be compromised in the future.

Leonard Wyatt Rowe III

15 year United States Coast Guard Veteran

missionlen@hotmail.com

From: OCR Mail [OCRMail@hhs.gov]
Sent: Monday, April 25, 2022 11:52 AM
To: Wyatt Rowe
Subject: Automatic reply: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA

Thank you for contacting the U.S. Department of Health and Human Services, Office for Civil Rights (OCR). OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

We are in the process of reviewing your correspondence. We will complete our initial review as quickly as possible.

For information about OCR's authorities and COVID-19, please visit:
<https://www.hhs.gov/ocr/index.html>.

If you have general questions about the novel coronavirus, COVID-19, please go to the Centers for Disease Control website at <https://www.cdc.gov>.

For additional information about OCR, including the complaint review process, and our HIPAA, civil rights, and conscience and religious freedom regulations, please see the following links:

<https://www.hhs.gov/ocr/complaints/index.html>

<https://www.hhs.gov/hipaa/index.html>

<https://www.hhs.gov/civil-rights/index.html>

<https://www.hhs.gov/conscience/index.html>

If you have any additional questions or need a reasonable accommodation, please contact OCR's Customer Response Center at 1-800-368-1019, Monday through Friday, 8:00 am to 6:00 pm, ET.

Please do not reply to this email. Thank you.

NOTE: This e-mail may contain sensitive and/or privileged information. If you are not the intended recipient, please notify the sender immediately and destroy this e-mail. Please be advised that communication by unencrypted email presents a risk of disclosure of the transmitted information to, or interception by, unintended third parties. Your use of email to communicate Protected Health Information or other Personally Identifiable Information with the Office for Civil Rights indicates that you acknowledge and accept the possible risks associated with such communication. If you do not wish to have your information sent by email, please contact the sender immediately.

English	If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.
Español - Spanish	Si usted habla español marque 1-800-368-1019 (o a la línea de teléfono por texto TTY 1-800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.
中文 - Chinese	如果你讲中文, 请拨打1-800-368-1019 (打字电话: 1-800-537-7697),

	你将被连接到一位讲同语种的翻译员为你提供免费服务。
Tiếng Việt - Vietnamese	Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.
한국어 - Korean	한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.
Tagalog (Filipino)	Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-368-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.
Русский - Russian	Если вы говорите по- русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно.

missionlen@hotmail.com

From: Senator Rick Scott (imailagent) [Casework@rickscott.senate.gov]
Sent: Monday, May 2, 2022 10:54 AM
To: missionlen@hotmail.com
Subject: From Senator Rick Scott's Office - Privacy Form Sent to Agency (Intranet Quorum IMA00165943)
Attachments: IQFormatFile.txt



Dear Mr. Rowe,

Thank you for contacting Senator Rick Scott's Office about your concerns with the U.S. Department of Health and Human Services and providing us with a completed Privacy Act form. I appreciate the opportunity to assist you.

We have sent your Privacy Act form and information to the U.S. Department of Health and Human Services and will let you know when we have received an update regarding your situation. Please be aware that it may be several weeks before we receive a response from the agency. Once the agency provides us an update on your request, we will reach out to you as soon as possible.

Please bear in mind that the rules of the U.S. Senate do not allow us to force an agency to expedite your case or to act in your favor. Our office is not able to offer legal advice or recommend an attorney, or intervene in, or influence the outcome of, cases that are under the jurisdiction of any court. However, we will do our best to assist you in whatever ways that we can.

We look forward to working with you.

Sincerely,

Mark Peluso
Constituent Services
Office of U.S. Senator Rick Scott
813-225-7040
Fax: 202-228-4535

To ensure that your response is handled in the most efficient manner possible, please reply directly to this message sent

from casework@rickscott.senate.gov.

If you call our office and we are assisting other callers, the fastest way to reach a staff member is to leave a voicemail with your name, phone number, and email address, or visit our website at rickscott.senate.gov. Thank you.

missionlen@hotmail.com

From: OS OCR CIU/CRC [osocrciu@hhs.gov]
Sent: Monday, May 2, 2022 5:28 PM
To: missionlen@hotmail.com
Subject: HHS OCR Transaction No.: CU-22-475764
Attachments: message_v2.rpmsg



OS OCR CIU/CRC (osocrciu@hhs.gov) has sent you a protected message.



Read Secure Message

Learn about messages protected by Office 365 Message Encryption.

Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and destroy and delete any copies you may have received.

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Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

missionlen@hotmail.com


From: Wyatt Rowe
Sent: Wednesday, May 4, 2022 11:47 AM
To: OS OCR CIU/CRC
Subject: RE: HHS OCR Transaction No.: CU-22-475764

Leonard Wyatt Rowe III
1935 Jeri Kay Lane
Sebring, FL 33870
863-799-4806
(Please preserve my privacy of this number)

missionlen@hotmail.com

Dear Person?

This is a response to my response of this email I am replying too.

Because of your complicated computer/email security procedures, I am unable to read your  ... I tried "six ways to Sunday" and got nowhere. I tried to preview the attached document, but I have no program that can even open .rpmmsg documents. Additionally I am not at all that savvy with email protocols above routine email conversations and normal attachments such as .doc or .pdf. Moreover, I do not know how to send messages with those, or any other complicated procedures in doing business with my concerns.

As to continuing with this complicated computer/email security procedures and emailing me attachments my computer has no program to open with, I think it would be better for me that we do business by way of USPS unless you can come up with email protocols that I can understand.

Thank you for your time and looking forward to your help in a language I can understand.

Understand my motives are that of a concerned citizen. I will never do business with HCA conglomerate (has almost 300 hospitals across the nation) ever again and move on with or without your help. So I am really asking for your help for the millions of patients serviced by HCA and that the HCA change their security procedures that I have outlined in the documents I sent to Senator Scott and to your office directly. I just want to insure that you take whatever appropriate action available to prevent HCA in the future from forging any patients document purposefully or negligently and that HCA follow HIPPA Privacy Rules according to such Rules. So see what you can do to help these people and enforce any and all penalties appropriate against HCA. If you decide not to enforce any penalties, at least have them change how they do business that are more strongly followed according to HIPPA Privacy Rules, which is my overall main goal.

In your investigation and you decide that my concerns with HCA have not violated HIPPA Privacy Rules, just give me a simple explanation how you arrived at that determination.

Thank you and I look forward to hearing from you soon.

Leonard Wyatt Rowe III
15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready

A handwritten signature in black ink, appearing to read 'LWR III', with a stylized flourish at the end.

I am forwarding this message and your attachment to U.S. Senator Scott

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Wednesday, May 4, 2022 11:47 AM
To: Senator Rick Scott (imailagent)
Subject: FW: HHS OCR Transaction No.: CU-22-475764
Attachments: message_v2.rpmsg

Dear Senator, I heard from **OCR**; however, their security protocols seem overly excessive and I could not read or understand their reply. The below is my response.

Again thank you for your time in this matter of concerns with hospital conglomerate **HCA**. I also thank you for helping all that benefit from your help.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready



missionlen@hotmail.com

From: OS OCR CIU/CRC [osocrciu@hhs.gov]
Sent: Wednesday, May 4, 2022 11:47 AM
To: Wyatt Rowe
Subject: Automatic reply: HHS OCR Transaction No.: CU-22-475764

Thank you for contacting the U.S. Department of Health and Human Services, Office for Civil Rights (OCR). OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

We are in the process of reviewing your correspondence. We will complete our initial review as quickly as possible.

For information about OCR's authorities and COVID-19, please visit:
<https://www.hhs.gov/ocr/index.html>.

If you have general questions about the novel coronavirus, COVID-19, please go to the Centers for Disease Control website at <https://www.cdc.gov>.

For additional information about OCR, including the complaint review process, and our HIPAA, civil rights, and conscience and religious freedom regulations, please see the following links:

<https://www.hhs.gov/ocr/complaints/index.html>

<https://www.hhs.gov/hipaa/index.html>

<https://www.hhs.gov/civil-rights/index.html>

<https://www.hhs.gov/conscience/index.html>

If you have any additional questions or need a reasonable accommodation, please contact OCR's Customer Response Center at 1-800-368-1019, Monday through Friday, 8:00 am to 6:00 pm, ET.

Please do not reply to this email. Thank you.

NOTE: This e-mail may contain sensitive and/or privileged information. If you are not the intended recipient, please notify the sender immediately and destroy this e-mail. Please be advised that communication by unencrypted email presents a risk of disclosure of the transmitted information to, or interception by, unintended third parties. Your use of email to communicate Protected Health Information or other Personally Identifiable Information with the Office for Civil Rights indicates that you acknowledge and accept the possible risks associated with such communication. If you do not wish to have your information sent by email, please contact the sender immediately.

English	If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.
Español - Spanish	Si usted habla español marque 1-800-368-1019 (o a la línea de teléfono por texto TTY 1-800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.
中文 - Chinese	如果你讲中文, 请拨打1-800-368-1019 (打字电话: 1-800-537-7697),

	你将被连接到一位讲同语种的翻译员为你提供免费服务。
Tiếng Việt - Vietnamese	Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.
한국어 - Korean	한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.
Tagalog (Filipino)	Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-368-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.
Русский - Russian	Если вы говорите по- русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно.

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Wednesday, May 4, 2022 11:49 AM
To: Senator Rick Scott (imailagent)
Subject: RE: From Senator Rick Scott's Office - Privacy Form Sent to Agency (Intranet Quorum IMA00165943)

Thank you Senator for getting back to me.

Just understand that my complaint is not just for me and it is not about me. My concerns are with the million or more patients of the hospital conglomerate HCA. I am concerned for other patients treated privacy being compromised by HCA in their dubious methods by security requiring patients to wear badges with personal information for everyone to see. I am concerned for other HCA patients signing 10 pg consent forms that are written in legal language that the average American probably does not completely understand. I am concerned for other HCA patients privacy violated by HCA forging legal consent negligently, intentionally or otherwise.

My whole purpose for bringing these issues to your attention is as a concerned citizen, as concerned 15 year U.S. Coast Guard Veteran and as a concerned son of a U.S. Navy Veteran that was critically wounded on June 6th, 1944 at the age of 18. Senator you should be just as concerned and you should use yours skills as a representative of the people, as leader and defender

missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Friday, May 20, 2022 8:38 AM
To: missionlen@hotmail.com
Subject: OCR #22-477870 - Request for Consent
Attachments: COMPLAINANT CONSENT FORM.pdf; Notice to Complainants and Other Individuals.pdf; PROTECTING PERSONAL INFORMATION.pdf

Dear Mr. Rowe:

Thank you for your correspondence received on April 11, 2022, by the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR). We are in the process of reviewing your correspondence to decide whether OCR has authority and is able to take action with respect to the matters you have raised.

OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

Enclosed please find a *Complainant Consent Form* for you to sign and return to this office so that OCR can continue our review of the matters you raised. If OCR has the authority to investigate your allegations, we require a signed consent form when identification of the complainant is necessary to resolve the complaint. *If you are filing on behalf of another person, you are responsible for securing written consent from that individual. Where the person is a minor (under the age of 18) or a legally incompetent adult, the consent form must be signed by that person's parent or legal guardian.*

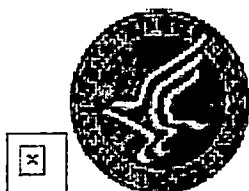
We have included two other documents for you to review entitled *Notice to Complainants and Other Individuals Asked to Supply Information to the Office for Civil Rights* and *Protecting Personal Information in Complaint Investigations* that provide additional information on how OCR may use, obtain and disclose your information while handling your complaint.

Please sign and return the *Complainant Consent Form* to Courtney.Petty@hhs.gov within 10 calendar days of the date of this email. If we do not receive the signed consent form from you, we will not be able to continue our review, and OCR will close this complaint.

If you have questions regarding this matter, please write us or contact Investigator Courtney Petty at 404-562-7521 (Voice), 404-562-7884 (TDD), or by e-mail at Courtney.Petty@hhs.gov. When contacting this office, please remember to include the reference number that we have given your file.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



This e-mail may contain sensitive and/or privileged information. If you are not the intended recipient (or have received this email in error) please notify the sender immediately and destroy this e-mail. Any unauthorized copying, disclosure, or distribution of the material in this e-mail is strictly forbidden. Under the Privacy Act of 1974, all data of a private nature must be protected from unauthorized disclosure.

Please be advised that communication by unencrypted e-mail presents a risk of disclosure of the transmitted information to, or interception by, unintended third parties. Please keep this in mind when communicating with OCR by e-mail. Your use of email to communicate Protected Health Information or other information of a confidential nature to us indicates that you acknowledge and accept the possible risks associated with such communication. Please consider communicating any sensitive information by telephone, fax, or mail. If you do not wish to have your information sent by email, please contact the sender immediately.

English – If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.

Español – Spanish – Si usted habla español marque 1800 368-1019 (o a la línea de teléfono por texto TTY 1800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.

中文 – Chinese – 如果你讲中文，请拨打1-800-368-1019（打字电话：1-800-537-7697），你将被连接到一位讲同语种的翻译员为你提供免费服务

Tiếng Việt – Vietnamese – Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.

한국어 – Korean – 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.

Tagalog (Filipino) – Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-368-1019 (TTY:1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.

Русский – Russian – Если вы говорите по-русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно



COMPLAINANT CONSENT FORM

The Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) has the authority to collect and receive material and information about you, including personnel and medical records, which are relevant to its investigation of your complaint.

To investigate your complaint, OCR may need to reveal your identity or identifying information about you to persons at the entity or agency under investigation or to other persons, agencies, or entities.

The Privacy Act of 1974 protects certain federal records that contain personally identifiable information about you and, with your consent, allows OCR to use your name or other personal information, if necessary, to investigate your complaint.

Consent is voluntary, and it is not always needed in order to investigate your complaint; however, failure to give consent is likely to impede the investigation of your complaint and may result in the closure of your case.

Additionally, OCR may disclose information, including medical records and other personal information, which it has gathered during the course of its investigation in order to comply with a request under the Freedom of Information Act (FOIA) and may refer your complaint to another appropriate agency.

Under FOIA, OCR may be required to release information regarding the investigation of your complaint; however, we will make every effort, as permitted by law, to protect information that identifies individuals or that, if released, could constitute a clearly unwarranted invasion of personal privacy.

Please read and review the documents entitled, *Notice to Complainants and Other Individuals Asked to Supply Information to the Office for Civil Rights* and *Protecting Personal Information in Complaint Investigations* for further information regarding how OCR may obtain, use, and disclose your information while investigation your complaint.

In order to expedite the investigation of your complaint if it is accepted by OCR, please read, sign, and return one copy of this consent form to OCR with your complaint. Please make one copy for your records.

- As a complainant, I understand that in the course of the investigation of my complaint it may become necessary for OCR to reveal my identity or identifying information about me to persons at the entity or agency under investigation or to other persons, agencies, or entities.
- I am also aware of the obligations of OCR to honor requests under the Freedom of Information Act (FOIA). I understand that it may be necessary for OCR to disclose information, including personally identifying information, which it has gathered as part of its investigation of my complaint.

- In addition, I understand that as a complainant I am covered by the Department of Health and Human Services' (HHS) regulations which protect any individual from being intimidated, threatened, coerced, retaliated against, or discriminated against because he/she has made a complaint, testified, assisted, or participated in any manner in any mediation, investigation, hearing, proceeding, or other part of HHS's investigation, conciliation, or enforcement process.

After reading the above information, please check ONLY ONE of the following boxes:

☐ **CONSENT:** I have read, understand, and agree to the above and give permission to OCR to reveal my identity or identifying information about me in my case file to persons at the entity or agency under investigation or to other relevant persons, agencies, or entities during any part of HHS's investigation, conciliation, or enforcement process.

☐ **CONSENT DENIED:** I have read and I understand the above and do not give permission to OCR to reveal my identity or identifying information about me. I understand that this denial of consent is likely to impede the investigation of my complaint and may result in closure of the investigation.

Signature: _____ Date: _____
*Please sign and date this complaint. You do not need to sign if submitting this form by email because submission by email represents your signature.

Name (Please print): _____

Address: _____

Telephone Number: _____



NOTICE TO COMPLAINANTS AND OTHER INDIVIDUALS ASKED TO SUPPLY INFORMATION TO THE OFFICE FOR CIVIL RIGHTS

Privacy Act

The Privacy Act of 1974 (5 U.S.C. §552a) requires OCR to notify individuals whom it asks to supply information that:

— OCR is authorized to solicit information under:

- (i) Federal laws barring discrimination by recipients of Federal financial assistance on grounds of race, color, national origin, disability, age, sex, religion under programs and activities receiving Federal financial assistance from the U.S. Department of Health and Human Services (HHS), including but not limited to, Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), the Age Discrimination Act of 1975 (42 U.S.C. §6101 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), and Sections 794 and 855 of the Public Health Service Act (42 U.S.C. §§295m and 296g);
- (ii) Titles VI and XVI of the Public Health Service Act (42 U.S.C. §§291 et seq. and 300s et seq.) and 42 C.F.R. Part 124, Subpart G (Community Service obligations of Hill-Burton facilities);
- (iii) 45 C.F.R. Part 85, as it implements Section 504 of the Rehabilitation Act in programs conducted by HHS; and
- (iv) Title II of the Americans with Disabilities Act (42 U.S.C. §12131 et seq.) and Department of Justice regulations at 28 C.F.R. Part 35, which give HHS “designated agency” authority to investigate and resolve disability discrimination complaints against certain public entities, defined as health and service agencies of state and local governments, regardless of whether they receive federal financial assistance.
- (v) The Standards for the Privacy of Individually Identifiable Health Information (The Privacy Rule at 45 C.F.R. Part 160 and Subparts A and E of Part 164, which enforce the Health Insurance Portability and Accountability Act of 1996 (HIPAA)(42 U.S.C. §1320d-2).

OCR will request information for the purpose of determining and securing compliance with the Federal laws listed above. Disclosure of this requested information to OCR by individuals who are not recipients of federal financial assistance is voluntary; however, even individuals who voluntarily disclose information are subject to prosecution and penalties under 18 U.S.C. §1001 for making false statements.

Additionally, although disclosure is voluntary for individuals who are not recipients of federal financial assistance, failure to provide OCR with requested information may preclude OCR from making a compliance determination or enforcing the laws above.

OCR has the authority to disclose personal information collected during an investigation without the individual’s consent for the following routine uses:

- (i) to make disclosures to OCR contractors who are required to maintain Privacy Act safeguards with respect to such records;
- (ii) for disclosure to a congressional office from the record of an individual in response to an inquiry made at the request of the individual;
- (iii) to make disclosures to the Department of Justice to permit effective defense of litigation; and
- (iv) to make disclosures to the appropriate agency in the event that records maintained by OCR to carry out its functions indicate a violation or potential violation of law.

Under 5 U.S.C. §552a(k)(2) and the HHS Privacy Act regulations at 45 C.F.R. §5b.11 OCR complaint records have been exempted as investigatory material compiled for law enforcement purposes from certain Privacy Act access, amendment, correction and notification requirements.

Freedom of Information Act

A complainant, the recipient or any member of the public may request release of OCR records under the Freedom of Information Act (5 U.S.C. §552)(FOIA) and HHS regulations at 45 C.F.R. Part 5.

Fraud and False Statements

Federal law, at 18 U.S.C. §1001, authorizes prosecution and penalties of fine or imprisonment for conviction of “whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry.”



PROTECTING PERSONAL INFORMATION IN COMPLAINT INVESTIGATIONS

To investigate your complaint, the Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) will collect information from different sources. Depending on the type of complaint, we may need to get copies of your medical records, or other information that is personal to you. This Fact Sheet explains how OCR protects your personal information that is part of your case file.

HOW DOES OCR PROTECT MY PERSONAL INFORMATION?

OCR is required by law to protect your personal information. The Privacy Act of 1974 protects Federal records about an individual containing personally identifiable information, including, but not limited to, the individual's medical history, education, financial transactions, and criminal or employment history that contains an individual's name or other identifying information.

Because of the Privacy Act, OCR will use your name or other personal information with a signed consent and only when it is necessary to complete the investigation of your complaint or to enforce civil rights laws or when it is otherwise permitted by law.

Consent is voluntary, and it is not always needed in order to investigate your complaint; however, failure to give consent is likely to impede the investigation of your complaint and may result in the closure of your case.

CAN I SEE MY OCR FILE?

Under the Freedom of Information Act (FOIA), you can request a copy of your case file once your case has been closed; however, OCR can withhold information from you in order to protect the identities of witnesses and other sources of information.

CAN OCR GIVE MY FILE TO ANY ONE ELSE?

If a complaint indicates a violation or a potential violation of law, OCR can refer the complaint to another appropriate agency without your permission.

If you file a complaint with OCR, and we decide we cannot help you, we may refer your complaint to another agency such as the Department of Justice.

CAN ANYONE ELSE SEE THE INFORMATION IN MY FILE?

Access to OCR's files and records is controlled by the Freedom of Information Act (FOIA). Under FOIA, OCR may be required to release information about this case upon public request. In the event that OCR receives such a request, we will make every effort, as permitted by law, to protect information that identifies individuals, or that, if released, could constitute a clearly unwarranted invasion of personal privacy.

If OCR receives protected health information about you in connection with a HIPAA Privacy Rule investigation or compliance review, we will only share this information with individuals outside of HHS if necessary for our compliance efforts or if we are required to do so by another law.

DOES IT COST ANYTHING FOR ME (OR SOMEONE ELSE) TO OBTAIN A COPY OF MY FILE?

In most cases, the first two hours spent searching for document(s) you request under the Freedom of Information Act and the first 100 pages are free. Additional search time or copying time may result in a cost for which you will be responsible. If you wish to limit the search time and number of pages to a maximum of two hours and 100 pages; please specify this in your request. You may also set a specific cost limit, for example, cost not to exceed \$100.00.

If you have any questions about this complaint and consent package,
Please contact OCR at <http://www.hhs.gov/ocr/office/about/contactus/index.html>

OR

Contact your OCR Regional Office
(see Regional Office contact information on page 2 of the Complaint Form)

missionlen@hotmail.com

From: Senator Rick Scott (imailagent) [Casework@rickscott.senate.gov]
Sent: Thursday, May 26, 2022 3:41 PM
To: missionlen@hotmail.com
Subject: From Senator Rick Scott - Agency Response Regarding Your Request (Intranet Quorum IMA00165943)
Attachments: IQFormatFile.txt



Dear Mr. Rowe,

Thank you for contacting Senator Rick Scott's Office about your concerns with the U.S. Department of Health and Human Services. I appreciate the opportunity to assist you.

We have received the response below from the U.S. Department of Health and Human Services.

----- Forwarded Email - Start -----

From: U.S. Department of Health and Human Services
Sent: 5/26/2022
Subject: Mr. Leonard Wyatt Rowe III – From Senator Rick Scott's Office

Thank you for contacting the U.S. Department of Health and Human Services, Assistant Secretary for Legislation. Your correspondence was forwarded to the Department's Office for Civil Rights (OCR) for response.

OCR received a complaint from Mr. Rowe III on April 11, 2022, alleging that HCA Florida Highlands Hospital (the covered entity) allowed an unknown individual to forge his signature on a 10-page document that contained his protected health information. After reviewing the allegations, we resolved the complaint with the provision of technical assistance to the covered entity. Mr. Rowe III was informed of this decision in a letter, dated May 2, 2022.

OCR is committed to ensuring that every complaint is appropriately handled, and we reopened Mr. Rowe's April 11th complaint, and transferred it to our Southeast Regional Office. OCR will include the additional information provided by Mr. Rowe in his Congressional inquiry as part of our review. We will communicate directly with Mr. Rowe after the review is completed.

----- Forwarded Email - End -----

Sincerely,

Mark Peluso
Constituent Services
Office of U.S. Senator Rick Scott
813-225-7040
Fax: 202-228-4535

To ensure that your response is handled in the most efficient manner possible, please reply directly to this message sent from casework@rickscott.senate.gov.

If you call our office and we are assisting other callers, the fastest way to reach a staff member is to leave a voicemail with your name, phone number, and email address, or visit our website at rickscott.senate.gov. Thank you.

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Friday, May 27, 2022 12:15 PM
To: Senator Rick Scott (imailagent)
Subject: RE: From Senator Rick Scott - Agency Response Regarding Your Request (Intranet Quorum IMA00165943)

Senator Scott,

I want to thank you very much for staying on my concerns as a Florida citizen with regard to hospital conglomerate HCA allegedly compromising HIIPA Privacy Rules. With your help, your staff help and other concern citizens help, we are making Florida and our country the best it can be. Thank you so much again for your help and concerns. I really appreciate it. We all appreciate you Scott.

All of you keep up the good work.



Leonard Wyatt Rowe III
15 year Coast Guard Veteran



missionlen@hotmail.com

From: Wyatt Rowe
Sent: Saturday, May 28, 2022 2:48 PM
To: Courtney.Petty@hhs.gov
Subject: Questions for HCA just to help out and CONSENT FORM
Attachments: Wrist Band HCA Hospital 3-25-22.pdf, COMPLAINANT CONSENT FORM 5-27-22.pdf

Good day Ms. Courtney. I just thought this might help in the investigation. If there is anything else you need of me such as any of the documents you need me to resend, just let me know. Thank you for helping me and hopefully helping millions of others. To me this was just not right and why I have spent so much of my time in hopefully helping others and HCA themselves. I unwittingly make mistakes as well and sometimes pay the price and learn from my mistakes. That's my motive to help all those involved to be better. Technology gets crazier and crazier and makes life more difficult for those on the other end. C'est la vie!

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

941-799-4806

(Please preserve my privacy of this number)

missionlen@hotmail.com

QUESTIONS TO ASK HCA

HCA Healthcare (HCA)

One Park Plaza

Nashville, TN 37203

Tel. (615) 344-9551

<https://hcahealthcare.com/>

There are **197** HCA Healthcare locations in the United States as of May 18, 2022 in 19 states and 140 cities. That has to be at least a million people.

HCA Florida Highlands Hospital - Highlands Regional Medical Center (HRMC)

3600 S Highlands Ave

Sebring, FL 33870

Tel. (863) 385 - 6101

<https://www.hcafloridahealthcare.com/locations/highlands-hospital>

Rowe had an appointment with **HCA Florida Highlands Hospital**, Sebring, Florida on March 25th, 2022, 8:00AM. The appointment was scheduled by the **Department Veterans Affairs**, Bay Pines, Florida Community Care Network. He was scheduled for a bone density scan. The following are questions related to his appointment to be asked of **HCA & HRMC**.

Upon Rowe arriving to HRMC he was met by security in the doorway. He was asked for his driver's license. Rowe gave him his DL and security kept it and then put it in a clear 9x13 envelope followed by creating a wrist band with personal information he placed around Rowe's wrist (see attached).

-After verifying Rowe's identity on his DL and issuing a wrist band with personal information, why was it necessary to impound Rowe's DL? Please explain.

-After security verifying Rowe's identity with his DL, was it necessary for all staff to have access to his DL? Please explain.

-Do you think knowingly that the entire hospital staff having access to Rowe's DL information is a violation HIPPA Privacy Rules? If you don't think so, please explain why it isn't.

-After the DL and wrist band, you printed out a badge with Rowe's personal information and required him to wear the badge. After verifying Rowe's ID by his DL & impounding the DL & and then having him wear a wrist band with personal information, was it necessary for him to wear a badge with his personal information? Please explain.

-While Rowe was waiting in the waiting area with a dozen or more people and Rowe wearing the required badge, they all had access to his name and other personal information and he had access to their name and personal information. Why are the badges necessary when you had all necessary information with the DL and wrist band? Please explain.

-While wearing the badge in travels about the hospital, staff and others met along the way could easily see Rowe's name, inter alia. In wearing the badge, what was the purpose of ALL staff having access to what Rowe's name was and other personal information on the badge? Do you think this badge further violated HIPPA Privacy Rules? If not, please explain.

-The procedure concerns just mentioned, does HCA practice these same procedures in all 197 hospitals across 19 states? If not, what are the procedures in the other hospitals? If different, why is HRMC different from the other hospitals?

-Also during the process Rowe was handed an iPad requiring him to read and sign a lengthy 10 page legal document written in legal language. Rowe is uneducated beyond high school and legal language is difficult for him to read and understand. Do you think you should simplify and shortened the legal document and write it in more common language for most people to understand? If you don't think it is necessary, please explain.

-In the 10 page legal document, it is an all or nothing document i.e. you can't write anything in the electronic document such as I don't understand this part or that part or write any explanations in the electronic document. Do you think the electronic document should provide a way to write in the document? If not, please explain why you think you shouldn't. Do you think the electronic legal document does not compromise HIPPA Privacy Rules, i.e. does it comply in any which way to HIPPA Privacy Rules? Please explain.

-Do you think a hard copy should be made knowingly available to patients and not just exclusively the all or nothing electronic document? If you think a hard copy shouldn't be available or can't be available, please explain why.

-If the 10 page electronic legal document, among other things, was about making sure you got paid and the VA was responsible for payment in their service authorization, was the VA responsible in signing the document? If not, please explain. Do you ever receive service authorizations from patient's health insurance? Can you see the difference Rowe is making?

-The 10 page electronic legal document Rowe did not sign because he did not understand the legal language and he returned the iPad. Because Rowe did not electronically sign the document, they denied him service. If the VA was responsible for payment of services, why was Rowe denied services?

-As mentioned Rowe did not sign the 10 page electronic legal document; however, he learned in his HRMC medical request that someone did sign the legal document with his name on all 10 pages of the document and the rest of the iPad; forgery if you will. Who was the person that did sign the electronic document with Rowe's name on the document? Why did they sign the document when Rowe's name was on it? Please explain.

-What was the intention of forging the document?

-If the forged document was negligence, how are you going to modify your procedures to lessen this happening again in any of your other 196 hospitals?

HHS PATIENT PROCEDURE REQUIREMENTS

With respect to HCA's patient service procedures I have outlined, does those procedures meet HHS requirements and with respect to patient rights and privacy?

With respect to HCA forgery mentioned, does negligence excuse HCA from any penalties monetary or otherwise? If there are monetary penalties, are there any monetary compensation awarded to me for all the pain and suffering of work and time spent as mainly a concerned citizen in filing the complaint?

If all or any parts of the claims are negligence, does that excuse them from any penalties?

e.g. If I drive down the road and I negligently am not paying any attention to my speedometer and I am unknowingly traveling 15 miles over the speed limit and I get pulled over for speeding. I am still guilty and required to pay the monetary penalty whether negligent or purposeful. The government does not discriminate.

Leonard Wyatt Rowe III

15 year Coast Guard Veteran



ROWE, LEONARD W III

ACCT#: D00081245265
ADM/SERV DATE: 03/25/22
HCA Florida Highlands Hosp

WALKER, JENNIFER AZBELL
PRE CLT DOB: 05/10/54 AGE: 67 H
Sebring, FL

UH: D000253359

HCA

3/25/22

Bracelet



COMPLAINANT CONSENT FORM

The Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) has the authority to collect and receive material and information about you, including personnel and medical records, which are relevant to its investigation of your complaint.

To investigate your complaint, OCR may need to reveal your identity or identifying information about you to persons at the entity or agency under investigation or to other persons, agencies, or entities.

The Privacy Act of 1974 protects certain federal records that contain personally identifiable information about you and, with your consent, allows OCR to use your name or other personal information, if necessary, to investigate your complaint.

Consent is voluntary, and it is not always needed in order to investigate your complaint; however, failure to give consent is likely to impede the investigation of your complaint and may result in the closure of your case.

Additionally, OCR may disclose information, including medical records and other personal information, which it has gathered during the course of its investigation in order to comply with a request under the Freedom of Information Act (FOIA) and may refer your complaint to another appropriate agency.

Under FOIA, OCR may be required to release information regarding the investigation of your complaint; however, we will make every effort, as permitted by law, to protect information that identifies individuals or that, if released, could constitute a clearly unwarranted invasion of personal privacy.

Please read and review the documents entitled, *Notice to Complainants and Other Individuals Asked to Supply Information to the Office for Civil Rights* and *Protecting Personal Information in Complaint Investigations* for further information regarding how OCR may obtain, use, and disclose your information while investigating your complaint.

In order to expedite the investigation of your complaint if it is accepted by OCR, please read, sign, and return one copy of this consent form to OCR with your complaint. Please make one copy for your records.

- As a complainant, I understand that in the course of the investigation of my complaint it may become necessary for OCR to reveal my identity or identifying information about me to persons at the entity or agency under investigation or to other persons, agencies, or entities.
- I am also aware of the obligations of OCR to honor requests under the Freedom of Information Act (FOIA). I understand that it may be necessary for OCR to disclose information, including personally identifying information, which it has gathered as part of its investigation of my complaint.

- In addition, I understand that as a complainant I am covered by the Department of Health and Human Services' (HHS) regulations which protect any individual from being intimidated, threatened, coerced, retaliated against, or discriminated against because he/she has made a complaint, testified, assisted, or participated in any manner in any mediation, investigation, hearing, proceeding, or other part of HHS's investigation, conciliation, or enforcement process.

After reading the above information, please check ONLY ONE of the following boxes:

☒ LWR

CONSENT: I have read, understand, and agree to the above and give permission to OCR to reveal my identity or identifying information about me in my case file to persons at the entity or agency under investigation or to other relevant persons, agencies, or entities during any part of HHS's investigation, conciliation, or enforcement process.

☐

CONSENT DENIED: I have read and I understand the above and do not give permission to OCR to reveal my identity or identifying information about me. I understand that this denial of consent is likely to impede the investigation of my complaint and may result in closure of the investigation.

Signature: _____

LWR III



Date: 5/27/22

*Please sign and date this complaint. You do not need to sign if submitting this form by email because submission by email represents your signature.

Name (Please print): Leonard Wyatt Rowe III

Address: 1935 Jeri Kay Lane - Sebring, FL 33870

Telephone Number: 941-799-4806

missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Tuesday, May 31, 2022 11:27 AM
To: Wyatt Rowe
Subject: RE: Questions for HCA just to help out and CONSENT FORM

Dear Mr. Rowe:

Thank you for returning the consent form. Are you available for a brief call to discuss your complaint, on either Friday, June 3rd or Monday, June 6th? Please let me know your availability.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



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English – If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.

Español – Spanish – Si usted habla español marque 1800 368-1019 (o a la línea de teléfono por texto TTY 1800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.

中文 – Chinese – 如果你讲中文，请拨打1-800-368-1019（打字电话：1-800-537-7697），你将被连接到一位讲同语种的翻译员为你提供免费服务

Tiếng Việt – Vietnamese – Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.

한국어 – Korean – 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.

Tagalog (Filipino) – Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-369-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.

Русский – Russian – Если вы говорите по-русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697, и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Tuesday, May 31, 2022 12:05 PM
To: Petty, Courtney (HHS/OCR)
Subject: RE: Questions for HCA just to help out and CONSENT FORM

Dear Ms Petty,

Thank you for getting back to me. Yes, a phone call sounds very productive. How bout Monday, the 6th. At this time I am available all day. Just give me a window that I can expect to hear from you.

Thanks again,

Leonard Wyatt Rowe III
15 year Coast Guard Veteran



missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Tuesday, May 31, 2022 3:32 PM
To: Wyatt Rowe
Subject: RE: Questions for HCA just to help out and CONSENT FORM

Dear Mr. Rowe,

Thank you for your response. I will call you on Monday, June 6th between 11:30 a.m. EST. If your availability changes between now and then, please let me know.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



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missionlen@hotmail.com

From: Wyatt Rowe
Sent: Wednesday, June 1, 2022 8:36 AM
To: Petty, Courtney (HHS/OCR)
Subject: RE: Questions for HCA just to help out and CONSENT FORM

Dear Ms Petty,

Monday June 6th between 11:30AM works out just fine. If anything changes, I will let you know immediately.

Thank you very much for investing and investigating my concerns.

Leonard Wyatt Rowe III
15 year Coast Guard Veteran



missionlen@hotmail.com

From: OCR Mail [OCRMail@hhs.gov]
Sent: Friday, June 3, 2022 11:41 AM
To: 'Wyatt Rowe'
Subject: RE: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA

Thank you for contacting the U.S. Department of Health and Human Services, Office for Civil Rights (OCR). We regret the delay in responding to your inquiry.

The complaint will be reviewed to determine OCR's authority to take action in the matter. You will be contacted after this review is completed. We are unable to provide a timeframe in which this review is completed or you will be contacted.

From: Wyatt Rowe <missionlen@hotmail.com>
Sent: Monday, April 25, 2022 11:49 AM
To: OCR Mail <OCRMail@hhs.gov>
Subject: FW: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA

Dear Person.

I emailed a HIPPA complaint at this email address 2 weeks ago (See below complaint dated 4/11/22 and attachments above) and received an immediate email reply from OCR Mail [OCRMail@hhs.gov]. No transaction number or any other identification was given in your immediate reply.

I am requesting an update of the review of my complaint filed 2 weeks ago (See below complaint dated 4/11/22 and attachments above). Please confirm you are reviewing the matter and an estimated time I might expect your response.

Note I just called the number you supplied to me in your email reply **800-368-1019**. The number was not helpful whatsoever and disabling to connect me to a live person during normal business hours.

TY for your time. Please don't allow the hospital conglomerate HCA servicing 100s of thousands of patients be compromised in the future.

Leonard Wyatt Rowe III
15 year United States Coast Guard Veteran

From: Wyatt Rowe
Sent: Monday, April 11, 2022 3:18 PM
To: OCRComplaint@hhs.gov
Subject: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Friday, June 3, 2022 6:47 PM
To: OCR Mail
Subject: RE: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA

Just so you know I was contacted by someone from HHS late last week.
We have a phone appointment next week.

The person is below;

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov

Thanks HHS for keeping me on the radar. Hopefully Courtney will take care of concerns satisfactorily.

Leonard Wyatt Rowe III

15 year United States Coast Guard Veteran

From: OCR Mail [mailto:OCRMail@hhs.gov]
Sent: Friday, June 3, 2022 11:41 AM
To: 'Wyatt Rowe'
Subject: RE: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA

Thank you for contacting the U.S. Department of Health and Human Services, Office for Civil Rights (OCR). We regret the delay in responding to your inquiry.

The complaint will be reviewed to determine OCR's authority to take action in the matter. You will be contacted after this review is completed. We are unable to provide a timeframe in which this review is completed or you will be contacted.

missionlen@hotmail.com

From: OCR Mail [OCRMail@hhs.gov]
Sent: Friday, June 3, 2022 6:48 PM
To: Wyatt Rowe
Subject: Automatic reply: HIPPA Complaint - Sebring Florida - Highland Regional Medical Center-HCA

Thank you for contacting the U.S. Department of Health and Human Services, Office for Civil Rights (OCR). OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

We are in the process of reviewing your correspondence. We will complete our initial review as quickly as possible.

For information about OCR's authorities and COVID-19, please visit:
<https://www.hhs.gov/ocr/index.html>.

If you have general questions about the novel coronavirus, COVID-19, please go to the Centers for Disease Control website at <https://www.cdc.gov>.

For additional information about OCR, including the complaint review process, and our HIPAA, civil rights, and conscience and religious freedom regulations, please see the following links:

<https://www.hhs.gov/ocr/complaints/index.html>

<https://www.hhs.gov/hipaa/index.html>

<https://www.hhs.gov/civil-rights/index.html>

<https://www.hhs.gov/conscience/index.html>

If you have any additional questions or need a reasonable accommodation, please contact OCR's Customer Response Center at 1-800-368-1019, Monday through Friday, 8:00 am to 6:00 pm, ET.

Please do not reply to this email. Thank you.

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	你将被连接到一位讲同语种的翻译员为你提供免费服务。
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missionlen@hotmail.com

From: Wyatt Rowe
Sent: Thursday, June 9, 2022 7:08 PM
To: Senator Rick Scott (imailagent)
Subject: RE: From Senator Rick Scott - Agency Response Regarding Your Request (Intranet Quorum IMA00165943)
Attachments: Just some facts supporting what OCR DHH does 6-9-22 Sen Scott.docx

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

863-799-4806

(Please preserve my privacy of this number)

missionlen@hotmail.com

Good day Senator,

Thank you for contacting HHS last month on my behalf and on behalf of all patients of hospital conglomerate HCA that services the medical needs of more than a million patients in the 197 hospitals they own and operate across this great nation. They are going to get bigger. My concerns are the same as before, forgery and other HIPAA privacy concerns against **Highland Regional Medical Center (HRMC)**, Sebring FL, one of 197 covered entities owned and operated by **HCA**. With your help, I finally made contact with OCR-HHS, on the morning of June 6th in a phone call appointment.

Briefly the results of that conversation;

I spoke to OCR Courtney Petty, JD, MPH Investigator. See bottom for contact information.

1. First of all I have not received any decision by OCR-DHH verbally, email or USPS since our phone conversation of the morning of June 6th. In closing of the conversation, she told me she was sending me an "Amendment" for me to send to HCA. I asked her why she was making me send it and I told her for her to send it. She never gave a reasonable answer. That's like my neighbor stealing my trash can and I contact the police and they tell me to send an amendment to the neighbor and only then will the police step-up depending on the response. Can you see the unreasonableness of her requiring me to send this amendment. I guess she thought I was an idiot and got away with it in the past with other American citizens. She said she would email me the Amendment, but like I said, I have not heard from her.
2. With respect to HRMC forgery, Petty stated that they did not handle forgeries in HIPAA violations and she further noted she did not know what agency did. She then said she would contact her supervisor and get back to me. At this time no one has got back to me. Forgery must be a definite part of their authority and they are just trying to get out of it. Petty never told me whose authority it is.
3. With respect to HRMC security impounding my Driver License and placing it in a 10x13 clear envelope. I told Petty, all staff had access to my personal information on my DL and asked her was this really necessary and asked if she agreed this was a violation of my privacy? Petty really never responded one way or the other. Presumably Petty's supervisor was contacted on this as well.

Note; when I left the hospital, I forgot to ask for my DL return and when I got home HRMC called me to let me know I left my DL at the hospital. I made the trip and picked it up.

Note; I am 68 years old and in all years of my life, no hospital has ever impounded my DL, EVER! Senator, has any hospital you have visited impounded your DL, or do you know anyone or any hospital that has? Why does the entire HRMC staff have access to my personal information on my DL? If security already verified my identity, why does any other staff need my DL to verify my identity when security already has verified and put it on my wristband?

4. With respect to HRMC requiring me to wear a badge on my chest with personal information. All staff and all persons in the waiting room all had access to my name and other personal information advertised on the badge. I asked Petty isn't this a violation of my privacy? Senator, has any hospital you have visited required you to wear a badge with your name and other personal information?
Petty really never responded one way or the other. Presumably Petty's supervisor was contacted on this as well.
5. After verifying my identity with my DL, security then created a wrist band for me to wear. That has been standard procedure in any hospital I have been to. Why are these additional procedures necessary when potentially violating my privacy unnecessarily?
6. Not only is all this compromising privacy concerns, but it defies any common sense of doing business the way they are doing business. As far as I know, no other hospital does business this way.
7. I don't believe we discussed the legal language of HRMC/HCA consent form which is still concerning to me.

I have been asked what my motive is, or what Petty asked, "*What do you expect to get out of this?*" I have told all that I have contacted in this matter, including you Senator basically the same answer.

"Just understand that my complaint is not just for me and it is not about me. My concerns are with the million or more patients of the hospital conglomerate HCA. I am concerned for other patient's privacy being compromised by HCA in their dubious methods by security requiring patients to wear badges with personal information for everyone to see. I am concerned for other HCA patients signing 10 pg consent forms that are written in legal language that the average American probably does not completely understand. I am concerned for other HCA patients privacy violated by HCA forging legal consent forms, intentionally, negligently or otherwise."

I am simply requesting any help with any of my concerns and if OCR refuses to help, that they simply state their reasons in avoiding taking any actions against HCA.

Stepping back a bit;

OCR claims in an email to your office; "*OCR received a complaint from Mr. Rowe III on April 11, 2022*" and that is true. However, they further stated "*After reviewing the allegations, we resolved the complaint... Mr. Rowe III was informed of this decision in a letter, dated May 2, 2022 (See snippet at bottom of this message)*". That is true they emailed me on May 2nd; however the message was encrypted to Read Secure Message and I was unable to read it. I could not even read the attachment. I contacted them on May 4th and let them know I could not read it (See snippet at bottom of this message). I never heard back from them. Why their message to me was dubiously encrypted for no apparent reason, particularly when they were unconcerned with my privacy when HCA impounded my DL, unconcerned with my privacy when HCA made me wear a badge with my name and other personal information and unconcerned to my privacy of the consent form HCA forged. And they are concerned with privacy by sending me an encrypted message? You will have to ask OCR why they encrypted their message to me when they already ignored my privacy concerns and the privacy of a million others. Like I said it was dubious and their convoluted way of

avoiding responsibility, purposefully making it difficult and avoiding my request to send me the message unencrypted. They never replied with my request to decrypt their message. OCR has all the ear marks of playing a game with me and that is not right. The government is there to enforce laws and help it's citizenry, not big tech.

Final word:

With respect to HCA's size and all; our free society has also been inhibited by even larger companies like Disney, Facebook, CNN, Twitter, YouTube, and Bill Gates inter alia. These companies are acting like they are the government and that they make the laws hiding behind our country's Constitution in an unconstitutional way and many times get away with it. At least in the US government, and you Senator, we have some degree of representation and some degree of say so; but in big business we have nothing. And so far we have nothing from OCR with HCA concerns in that HCA makes the rules and are seemingly endorsed by OCR-DHH. OCR thinks my case is a one person case and standing alone is next to impossible to get justice. OCR can't see the affects beyond me, i.e. they can't see the forest beyond a single tree, ME. What if someone stole something from one person. Does the police tell you I am sorry, but you are only person and we refuse to do anything because it is only one person.

Last example; the first 10 years I lived in Florida, I got 3 or 4 seatbelt violations for my negligence. The last one I went to court and argued that I was elderly, forgetful and indigent. The judge didn't buy it and still made me pay the \$132 fine. The last 3 years I have a different vehicle and it dings as soon as I put the key in the ignition. I haven't got a ticket since. Negligence is not an excuse for breaking law in traffic violations and negligence is not an excuse for any type of forgery, or poor procedural concerns. When only one person is violated and because it is only one person, that is not an excuse to do nothing. You break the law, you pay the price and hopefully you learn from it. Hopefully OCR will learn to do the right thing as well. Without my help and your help, nobody is going to learn a damn thing and big tech knows they can get away with a lot.

If you can't help, I guess I will quit being a concerned citizen and mind only my business and let big companies and big government do what they always do whatever they want to do. I have a lot of time invested in my concerns and so far I am getting nowhere. In spite of how wrong and against the law this is, I admit it has minimal affect on me personally. A seatbelt violation is somewhat similar, but more affecting my pocketbook and no one else. This concern of mine affects all my time I put into this. Maybe I have a case in federal court. I will have to think about that. It would be a fairly simple filing. What's the government's argument? He is only one person your honor.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready



Note; OCR Investigator
Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70

Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov

Attached;

Just some facts supporting what OCR DHH does 6-9-22 Sen Scott.docx; This is not so much required reading, only supportive reading to OCR responsibilities.

Encrypted message OCR sent me May 2nd

HHS OCR Transaction No.: CU-22-475764

OS OCR CIU/CRC [osocrciu@hhs.gov]

You forwarded this message on 5/4/2022 11:33 AM.

Sent: Mon 5/2/2022 5:28 PM

To: mission1en@hotmail.com

 Message |  message_v2.rpmsg (289 KB)



OS OCR CIU/CRC (osocrciu@hhs.gov) has sent you a protected message.



Read Secure Message

Learn about messages protected by Office 365 Message Encryption.

Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and destroy and delete any copies you may have received.

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Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

My reply to OCR encrypted message, May 4th (1st page only).

RE: HHS OCR Transaction No.: CU-22-475764

Wyatt Rowe

Sent: Wed 5/4/2022 11:47 AM

To: OS OCR CIU/CRC

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

863-799-4806

(Please preserve my privacy of this number)

missionlen@hotmail.com

Dear Person?

This is a response to my response of this email I am replying too.

Because of your complicated computer/email security procedures, I am unable to read your

Read Secure Messages... I tried "six ways to Sunday" and got nowhere. I tried to preview the attached document, but I have no program that can even open .rpmsg documents. Additionally I am not at all that savvy with email protocols above routine email conversations and normal attachments such as .doc or .pdf. Moreover, I do not know how to send messages with those, or any other complicated procedures in doing business with my concerns.

As to continuing with this complicated computer/email security procedures and emailing me attachments my computer has no program to open with, I think it would be better for me that we do business by way of USPS unless you can come up with email protocols that I can understand.

I even emailed Petty May 28th some questions to ask HCA in her investigation (1st page only)

Questions for HCA just to help out and CONSENT FORM

Wyatt Rowe

Sent: Sat 5/28/2022 2:48 PM

To: Courtney.Petty@hhs.gov

Message | Wrist Band HCA Hospital 3-25-22.pdf (137 KB) | COMPLAINANT CONSENT FORM 5-27-22.pdf (1 MB)

Good day Ms. Courtney. I just thought this might help in the investigation. If there is anything else you need of me such as any of the documents you need me to resend, just let me know. Thank you for helping me and hopefully helping millions of others. To me this was just not right and why I have spent so much of my time in hopefully helping others and HCA themselves. I unwittingly make mistakes as well and sometimes pay the price and learn from my mistakes. That's my motive to help all those involved to be better. Technology gets crazier and crazier and makes life more difficult for those on the other end. C'est la vie!

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

941-799-4806

(Please preserve my privacy of this number)

missionlen@hotmail.com

QUESTIONS TO ASK HCA

HCA Healthcare (HCA)

One Park Plaza

Nashville, TN 37203

Tel. (615) 344-9551

<https://hcahealthcare.com/>

There are 197 HCA Healthcare locations in the United States as of May 18, 2022 in 19 states and 140 cities. That has to be at least a million people.

Just some facts supporting what OCR DHH does

In all auto reply emails I received from OCR includes the following statement of what they do.

Thank you for contacting the U.S. Department of Health and Human Services, Office for Civil Rights (OCR). OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

Physician Exercise of Conscience

<https://www.ama-assn.org/delivering-care/ethics/physician-exercise-conscience>

Code of Medical Ethics Opinion 1.1.7; Physicians are expected to uphold the ethical norms of their profession and sustain moral integrity and continuity across both personal and professional life.

Who Enforces HIPAA?

<https://www.hipaajournal.com/who-enforces-hipaa/>

The primary enforcer of HIPAA Rules is the Department of Health and Human Services' Office for Civil Rights (OCR). However, the incorporation of the Health Information Technology for Economic and Clinical Health (HITECH) Act into HIPAA in 2009 saw state attorney general's given the power to assist OCR in the enforcement of HIPAA. I contacted the Florida Office of Inspector General – Florida Agency Health and Care Administration (AHCA) and they denied responsibilities in taking any action.

HIPAA Enforcement by the HHS' Office for Civil Rights

The HHS' Office for Civil Rights investigates ALL data breaches reported by covered entities and business associates if they impact more than 500 individuals. If HCA procedure services a million or more patients, the impact of my concerns effects a million or more and a million or more reasons to investigate. If an entity does not meet the definition of a **covered** entity or business associate, it does not have to comply with the HIPAA Rules; however, HCA meets the requirement of a "covered entity" and must comply accordingly, including the utmost privacy procedures. OCR is required to take action or legally explain why they will not take action.

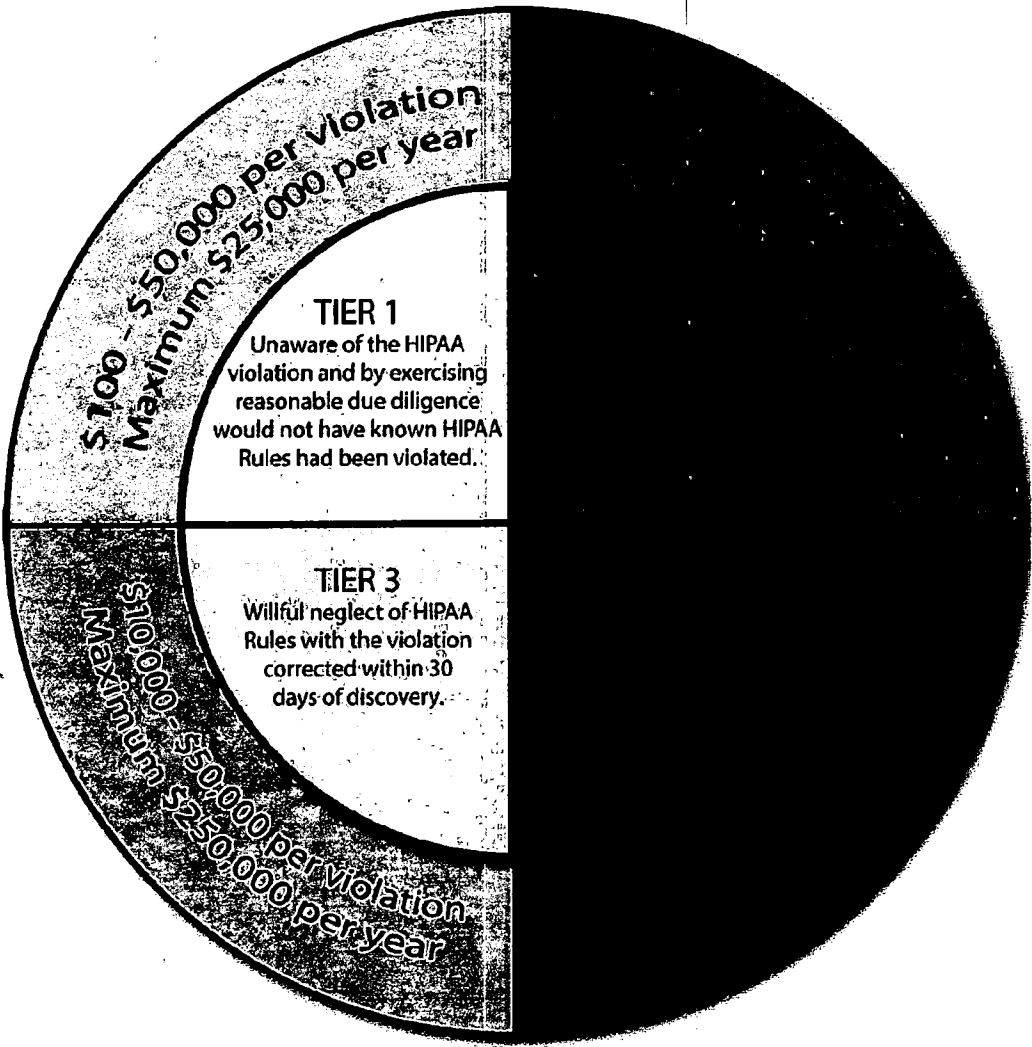
Breach Notification Rule

The HIPAA Breach Notification Rule, 45 CFR §§ 164.400-414, requires HIPAA covered entities and their business associates to provide notification following a breach of unsecured protected health information. Similar breach notification provisions implemented and enforced by the Federal Trade Commission (FTC), apply to vendors of personal health records and their third party service providers, pursuant to section 13407 of the HITECH Act.

Definition of Breach

A breach is, generally, an impermissible use or disclosure under the Privacy Rule that compromises the security or privacy of the protected health information. An impermissible use or disclosure of protected health information is presumed to be a breach... Personal information is a significant part of protected medical health information. The forging or counterfeiting a **document** is a criminal offense, as is knowingly using or possessing a **forged** or counterfeit **document**. Whether the breach was knowingly or negligently still demands accountability and appropriate penalties and appropriate actions by the covered entity to insure the likeness of such not occurring in the future of other medical recipients.

HIPAA Violation Penalties



© HIPAA Journal 2018

missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Friday, June 10, 2022 11:48 AM
To: Wyatt Rowe
Subject: OCR #22-477870
Attachments: message_v2.rpmsg



Petty, Courtney (HHS/OCR) (Courtney.Petty@hhs.gov) has sent you a protected message.



Read Secure Message

Learn about messages protected by Office 365 Message Encryption.

Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and destroy and delete any copies you may have received.

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Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Monday, June 13, 2022 5:47 PM
To: Casework@rickscott.senate.gov
Subject: FW: OCR #22-477870
Attachments: message_v2.rpmsg; How important is transparency in government 6-13-22.pdf

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

863-799-4806

(Please preserve my privacy of this number)

missionlen@hotmail.com

Date: June 13, 2022

Good day Senator,

All I am asking is for OCR to do the job they were already paid for by citizen's taxes. Not much different than asking someone to fix their truck the right way when they paid them already.

I emailed you last Thursday, June 9th about my concerns of OCR-HHS not responding to me after our Monday morning phone call of June 6th with OCR - Courtney Petty, JD, MPH (Note; I mailed hard copies of the same email to you on 6/10/22 just to make sure). I suspect that you got my email alright and also suspect you contacted OCR because I heard from Petty the very next day, Friday, June 10th; however, Petty/OCR again encrypted the June 10th message and it was again unreadable to me. No doubt to Petty's reply she considers it "*we resolved the complaint*". I wish someone would let me know what is in this secret "*resolved complaint*".

As part of my concerns with OCR I mentioned to you in the June 9th email that on May2nd OCR emailed me an encrypted message that was unreadable to me. I also mentioned in the June 9th message, that I replied in an email to OCR on May 4th, that I could not read the encrypted message and asked them to either send a hard copy or send me the message unencrypted. I never heard from them until I contacted you late last month. They told you that they "*resolved the complaint*". They also said they did so "*with the provision of technical assistance to the covered entity*". They are assisting HCA, but they are not assisting my concerns. See below the snippet from the forwarded message I received in your message of May 26th.

OCR received a complaint from Mr. Rowe III on April 11, 2022, alleging that HCA Florida Highlands Hospital (the covered entity) allowed an unknown individual to forge his signature on a 10-page document that contained his protected health information. After reviewing the allegations, we resolved the complaint with the provision of technical assistance to covered entity. Mr. Rowe III was informed of this decision in a letter, dated May 2, 2022.

The "letter," dated May 2, 2022 (it was an email, not a "letter") and was an encrypted email message that was not readable to me. With that said, I was informed of anything on that day.

They never mentioned the May 4th message I sent to them that the May 2nd was unreadable to me. I documented all that in my June 9th message to you.

I still have not received from OCR a legible document of that May 2nd encrypted message. So why are they sending me another encrypted message? Could you require OCR to send me a copy of the May 2nd and June 10th "*resolved the complaint*". Have them send it by either by readable email, or a hard copy sent to my address that is in most of the email exchanges. Just for my records.

So just for the record, there were several emails back and forth between us with my contact information, with Petty's contact information, other OCR employee contact information and HCA contact information. Now if they are protecting personal information, such contact information in the context of emails has already been unprotected in several email exchanges. So, in context, what is their purpose in protecting any personal information now if that is what they are protecting? What they are protecting has still not been explained to me. Petty could have explained such procedures and protections to me in our phone call conversation last week, but she didn't. She said she was going to send me an amendment, but she didn't.

The only information I suspect OCR is protecting is the information in the "*resolved the complaint*" of my concerns with HCA procedures violating HIPAA Privacy Rules. Whatever their "*resolved the complaint*" decision is, it is not protected information and the only decisions I have received were encrypted, or what they call "*resolved*" and unreadable to me. The only one who is protected from their "*resolved complaint*" is me. Such decisions/resolutions are public record just like anyone arrested, or convicted is public information. Additionally in similar context, contact information has already been revealed in several email exchanges. Emails are private and if anyone who compromises anyone's email, including OCR emails, they have committed a crime and should be prosecuted. Like I said their decision/resolutions are not protected and it is required by law for the government to be transparent in the context of OCR's government decisions/resolutions. Public information and OCR's "*resolved complaint*" requires OCR be transparent if you will (see attached about government transparency). I should think OCR – HHS has public records available. So why this foolish encrypted "*resolved the complaint*".

OCR using encrypted emails is playing a game. Most citizens like myself are technically challenged beyond routine computer use and OCR is taking advantage of most citizens and they call it a day when we can't read their decisions. Most of us know how to email, know how to create documents using normal text programs and know how to do searches on the internet and interact with such websites as Facebook, Twitter, interalia. Receiving encrypted messages is difficult for most people like myself and unreadable. In my last email I explained another tool they use in their game, requiring me to send an amendment to the criminal party in question. More games... That is not why legislatures created OCR – HHS.

So, from all appearances I not only have a legal case against HCA, but now I have a legal case against OCR in their procedures and additionally a case with respect to this government agency's lack of transparency (See attachment of my search on DuckDuckgo regarding government transparency).

Any civil case against either parties can be avoided if you simply demand that OCR do the job legislatures created them for to protecting citizen's rights that Veterans like myself and my father risked their lives for those rights. That is all you have to do. Don't let OCR excuse HCA. It will only get worse if they don't hold HCA accountable. Worse in that next the government will require people who step outside to wear these stupid badges just to go to the store, inter alia and later they will make us wear such in the privacy of our own homes. Look what happened with COVID? If you give them an inch, they will take a mile. Take that inch from them and then they will have to do the job they were created for.

Let me ask you this. Have you or any of your staff made visits to a hospital and the hospital impounded your DL and put it in a clear envelope made available for every staff in the hospital to see including the janitor, made you wear a badge in the context of a public place with personal information on the badge and forged any legal consent forms; beside HCA hospitals of course. If it is not stopped now, it will get worse and become legal public policy, that is to say, don't let HCA procedures become legal precedence and binding.

Leonard Wyatt Rowe III
15 year Coast Guard Veteran



From: Petty, Courtney (HHS/OCR) [mailto:Courtney.Petty@hhs.gov]
Sent: Friday, June 10, 2022 11:48 AM
To: Wyatt Rowe
Subject: OCR #22-477870



Petty, Courtney (HHS/OCR) (Courtney.Petty@hhs.gov) has sent you a protected message.



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How important is transparency in government?

Privacy, simplified. ▾



All
 Images
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All regions ▾ Safe search: moderate ▾ Any time ▾

<https://blogs.oracle.com/content-management/post/importance-of-transparency-in-governm...>

Importance of Transparency in Government - Oracle

The White House Issued a Memorandum titled "Transparency and Open Government" that states "Openness will strengthen our democracy and promote efficiency and effectiveness in Government." The memorandum lists three key principles: Government should be transparent. Government should be participatory. Government should be collaborative.

<https://www.rocksolid.com/blog/government-transparency-101-what-why-and-how>

Government Transparency 101: What, Why and How - Rock Solid

Government transparency is important because it is ultimately the government's job to serve its constituents as efficiently as possible. Sometimes, that involves a government allowing itself to be scrutinized. If a government is clear about the processes it uses to make decisions, as well as what those decisions, then governments and residents can

<https://www.unitedformissouri.org/news/government-transparency-important-missouri>

Why Government Transparency is Important | United for Missouri

So, what exactly is "transparency" and why is it so important? Simply put, government transparency enables YOU, the taxpayer, to easily research and hold your government / elected officials accountable for how they spend YOUR money at all levels of government.

<https://blog.usa.gov/the-need-for-transparency-in-government>

The Need for Transparency in Government

Today, we'll detail the need for transparency in government so that the public can "see" the process they're undergoing when they're interacting with federal agencies and programs. If you'd like to read the complete series, start here. The need for transparency: understanding a process

<https://study.com/academy/lesson/government-transparency-definition-examples-purpose,h...>

Government Transparency: Definition, Examples & Purpose

Apr 11, 2022 · In non-metaphorical terms, we're talking about government transparency, or the idea that the people have a right to know what their government is doing and that the government has an obligation to...

<https://www.metzbailey.com/blog/2021/04/why-is-transparency-in-local-government-impor...>

Why is transparency in local government important?

Transparency also helps the people to understand the government better. When you allow them to attend meetings and be a part of large decisions, it makes them feel better about what you are doing as they understand the reasoning. They can understand why you make the decisions you make.

Cooperation

<https://www.buckeyeinstitute.org/blog/detail/why-is-government-transparency-important>

Why is government transparency important? - The Buckeye Institute


The Buckeye Institute has continued to make government transparency a top priority by partnering with the office of Treasurer Josh Mandel to help create the Ohio Checkbook. This online, searchable database is a best-in-class state transparency tool that is promising to shine sunlight into the most opaque parts of the state's coffers.

<https://www.powerdms.com/policy-learning-center/importance-of-openness-and-transparenc...>

Share Feedback

Importance of Openness and Transparency in Local Government

Dec 29, 2020 · According to an article in Journal of Management Policy and Practice, "Transparency is a fundamental component of democratic government and addresses the rights of citizens to know about activities of their government. Too much secrecy in government often leads to an abuse of power and a lack of accountability."

 <https://www.libertythatwins.com> > the-importance-of-government-transparency

The Importance of Government Transparency - LFA Action Fund

The Importance of Government Transparency. April 20, 2018. "A government by the people for the people" is how President Lincoln described our democratic republic in his address at Gettysburg. It is a representative form of government where we the people have the honor and duty of picking who will serve for us in Congress.

 <https://icma.org> > articles > article > top-10-benefits-transparency

Top 10 Benefits of Transparency | icma.org

Here are 10 reasons why you should shape your best local government practices around transparency: Build Trust within Your Community Making more information publicly available is an empowering act that will help rebuild trust between citizens and government.

Searches related to How important is transparency in government?

definition of transparency in government

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transparency in the government

importance of transparency

transparency in local government

governmental transparency

lack of transparency in government

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missionlen@hotmail.com

From: Senator Rick Scott [Casework@rickscott.senate.gov]
Sent: Wednesday, June 15, 2022 2:11 PM
To: missionlen@hotmail.com
Subject: From Senator Rick Scott's Office - Privacy Form
Attachments: 220301-Final_Privacy_Form_Rick_Scott-Fillable.pdf



Dear Mr. Rowe,

Thank you for contacting Senator Rick Scott's Office about your concerns with a federal agency and its actions regarding your situation. We appreciate the opportunity to assist you. Before we can contact the agency on your behalf, you will need to complete the attached form and return it to Senator Scott's office. You can also download the form [HERE](#).

If you choose to return your completed form via email, please reply directly to this message to ensure your response is handled in the most efficient manner possible. Additionally, it is recommended that you provide supporting documents related to your case that can be submitted to the agency. These documents can be included in the same email.

Please bear in mind that the rules of the U.S. Senate do not allow us to force an agency to expedite your case or to act in your favor. Our office is not able to offer legal advice or recommend an attorney, or intervene in, or influence the outcome of, cases that are under the jurisdiction of any court. However, we will do our best to assist you in whatever ways that we can.

We look forward to working with you.

Sincerely,

Bonita Scase
Constituent Services
Office of U.S. Senator Rick Scott
(407) 872-7161
Fax: 202-228-4535

To ensure that your response is handled in the most efficient manner possible, please reply directly to this message sent

from casework@rickscott.senate.gov.

If you call our office and we are assisting other callers, the fastest way to reach a staff member is to leave a voicemail with your name, phone number, and email address, or visit our website at rickscott.senate.gov. Thank you.

Signature/ Firma: _____ Date/ Fecha: _____

Signature must be from an individual who is 18 years of age or older and is requesting assistance or has a case pending with a federal agency. Third party signatures of any kind are not valid. Electronic signatures are not valid.

La firma debe ser de un individuo de 18 años de edad o más y que esté solicitando asistencia o tenga un caso pendiente con una agencia federal. Las firmas de terceras personas no son válidas. Las firmas electrónicas no son válidas.

FOR INQUIRIES TO UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS), in accordance with 6 C.F.R.5.21(d): I, _____, certify, under penalty of perjury, that 1) I provided or authorized all of the information in this privacy release form and any document submitted with it; 2) I reviewed and understand all of the information contained within this privacy form and submitted with it; and 3) all of this information is complete, true, and correct.

PARA LAS CONSULTAS A LOS SERVICIOS DE CIUDADANÍA E INMIGRACIÓN DE LOS ESTADOS UNIDOS (USCIS), de acuerdo con 6 C.F.R.5.21 (d):

Yo, _____, certifico, bajo pena de perjurio, que 1) proporcioné o autoricé toda la información en este documento de privacidad y cualquier documento presentado con el mismo; 2) revisé y entiendo toda la información contenida en este documento de privacidad y documentos presentados con el mismo; y 3) toda esta información es completa, verdadera y correcta.

Signature/ Firma: _____ Date/ Fecha: _____

Please return this form using one of the following methods:

- Fax 202-228-4535
- Email casework@Rickscott.senate.gov
- U.S. Mail to the office nearest you.

Por favor devuelva este formulario utilizando uno de los siguientes métodos:

- *por fax 202-228-4535*
- *por correo electrónico a casework@Rickscott.senate.gov*
- *por correo a la oficina más cercana a usted*

502 Hart Senate Office Building, Washington, DC 20510 | (202) 224-5274

111 N. Adams Street, Ste. 208,
Tallahassee, FL 32301
(850) 942-8415

801 North Florida Ave, Ste. 421,
Tampa, FL 33602
(813) 225-7040

3299 Tamiami Trail East, #106,
Naples, FL 34112
(239) 231-7890

225 East Robinson Street,
Ste. 410, Orlando, FL 32801
(407) 872-7161

415 Clematis Street, Ste. 201,
West Palm Beach, FL 33401
(561) 514-0189

901 Ponce de Leon Blvd, Ste. 505
Miami, FL 33134
(786) 501-7141

One Courthouse Square,
Ste. 3205 Kissimmee, FL 34741
(407) 586-7879
By Appointment Only

221 Palafox Place, Ste. 420,
Pensacola, FL 32502
(850) 760-5151

400 West Bay Street, Ste. 289,
Jacksonville, FL 32202
(904) 479-7227

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Wednesday, June 15, 2022 2:41 PM
To: Petty, Courtney (HHS/OCR)
Cc: Casework@rickscott.senate.gov
Subject: RE: OCR #22-477870

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

863-799-4806

(Please preserve my privacy of this number)

Date: June 15, 2022

Good day Ms. Petty,

I can't read your June, 10th encrypted message I am replying to (See message at the bottom).

Someone from OCR sent me a previous encrypted message on May 2nd and on May 4th I messaged (OCR was unresponsive) back that I could not read the encrypted message (If you need me to resend the May 4th email, let me know) and I asked in the May 4th message to either send me a hard copy by mail or send me the message unencrypted to my email address.

Nothing has changed I can't read the June 10th encrypted message either. I don't know what or who you are protecting. My contact information and HCA contact information has been available in several, unencrypted email exchanges. If you are trying to protect your decision then you are violating the laws for government agencies to be transparent and complaints be a public record. Please in your message explain to me why a public record is being encrypted when all other email exchanges have not been encrypted in your replies.

Please send me a readable copy of the encrypted May 2nd message for my records and please send me a readable copy of this encrypted, June 10th message as well. Please send both copies either by way of my USPS address above or by email unencrypted. If you just email me the requested documents, that is fine. If you are sending the messages by USPS let me know that you are mailing such so I know to expect such.

I will explain further the situation.

The below is a snippet of the encrypted message sent to me on May 2nd that I can't read. It does not say it is a "decision", only that it is a "protected message".

HHS OCR Transaction No.: CU-22-475764

OS OCR CIU/CRC [osocrclu@hhs.gov]

You forwarded this message on 5/4/2022 11:33 AM.

Sent Mon 5/2/2022 5:28 PM

To: missionlen@hotmail.com

Message | message_v2.rpmsg (289 KB)



OS OCR CIU/CRC (osocrclu@hhs.gov) has sent you a protected message.



Read Secure Message

Learn about messages protected by Office 365 Message Encryption.

Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and destroy and delete any copies you may have received.

[Privacy Statement](#)

Email encryption powered by Office 365. [Learn More](#)
Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

Below is a snippet of the first page of my May 4th message (full document is AUR) I notified OCR that I could not read the May 2nd encrypted message and to please send email me a readable copy or mail me a readable copy. At this time no one has replied to this concern.

RE: HHS OCR Transaction No.: CU-22-475764

Wyatt Rowe

Date: Wed 5/4/2022 11:47 AM

To: OS OCR CIU/CRC

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

863-799-4806

(Please preserve my privacy of this number)

missionlen@hotmail.com

Dear Person?

This is a response to my response of this email I am replying too.

Because of your complicated computer/email security procedures, I am unable to read your **Read Secure Message**... I tried "six ways to Sunday" and got nowhere. I tried to preview the attached document, but I have no program that can even open .rmsg documents. Additionally I am not at all that savvy with email protocols above routine email conversations and normal attachments such as .doc or .pdf. Moreover, I do not know how to send messages with those, or any other complicated procedures in doing business with my concerns.

As to continuing with this complicated computer/email security procedures and emailing me attachments my computer has no program to open with, I think it would be better for me that we do business by way of USPS unless you can come up with email protocols that I can understand.

Below is a snippet from OCR's 5/26/22 reply to Mark Peluso, Constituent Services, Office of U.S. Senator Rick Scott regarding my concerns with OCR.

In that message you state "*Mr. Rowe III was informed of this decision in a letter, dated May 2, 2022*"; however, that decision was falsely portrayed when I contacted you on May 4th that I could not read the encrypted message. The message never even said it was a "decision", only that it was "protected message". So OCR's account as me being informed is misleading and uninformative with regard to stating "*resolved the complaint*" when I could not read the "*resolved the complaint*".

From: U.S. Department of Health and Human Services
Sent: 5/26/2022
Subject: Mr. Leonard Wyatt Rowe III – From Senator Rick Scott's Office

Thank you for contacting the U.S. Department of Health and Human Services, Assistant Secretary for Legislation. Your correspondence was forwarded to the Department's Office for Civil Rights (OCR) for response.

OCR received a complaint from Mr. Rowe III on April 11, 2022, alleging that HCA Florida Highlands Hospital (the covered entity) allowed an unknown individual to forge his signature on a 10-page document that contained his protected health information. After reviewing the allegations, we resolved the complaint with the provision of technical assistance to the covered entity. Mr. Rowe III was informed of this decision in a letter, dated May 2, 2022.

OCR is committed to ensuring that every complaint is appropriately handled, and we reopened Mr. Rowe's April 11th complaint, and transferred it to our Southeast Regional Office. OCR will include the additional information provided by Mr. Rowe in his Congressional inquiry as part of our review. We will communicate directly with Mr. Rowe after the review is completed.

Please stop playing games. Just do your job and save me my time, save Senator Scott's time and your own time. It is that easy.

Leonard Wyatt Rowe III
15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready

PARTY CONTACTS TO MY CONCERNS OF MY COMPLAINT;

Highlands Regional Medical Center
3600 South Highlands Avenue
Sebring, Florida, 33870
Phone 863-385-6101
Patient MRN# **D000253359**

HCA Healthcare (believe this is corporate HDQ)
One Park Plaza
Nashville, TN 37203
Phone: (615) 344-9551
<https://hcahealthcare.com/>

From: Petty, Courtney (HHS/OCR) [mailto:Courtney.Petty@hhs.gov]
Sent: Friday, June 10, 2022 11:48 AM
To: Wyatt Rowe
Subject: OCR #22-477870



Petty, Courtney (HHS/OCR) (Courtney.Petty@hhs.gov) has sent you a protected message.



[Read Secure Message](#)

Learn about messages protected by Office 365 Message Encryption.

Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and destroy and delete any copies you may have received.

[Privacy Statement](#)

Email encryption powered by Office 365. [Learn More](#)
Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Wednesday, June 15, 2022 5:09 PM
To: Wyatt Rowe
Subject: RE: OCR #22-477870
Attachments: 475764_Safeguards(C)-27098529.pdf

Dear Mr. Rowe,

Thank you for letting me know you were unable to open the secure message that I sent. I have copied the contents of the original message below, and attached the letter that was sent:

Thank you for speaking with me earlier this week. I stated that I would attach the letter that HHS mailed to you in May from the D.C. office, since you did not receive it. Please see attached.

As I mentioned, OCR does not handle fraud complaints. However, you may wish to submit a complaint to the HHS Office of the Inspector General regarding your fraud concerns. Here is a link to their website <https://oig.hhs.gov/fraud/>

OCR is still reviewing your additional privacy concerns.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



This e-mail may contain sensitive and/or privileged information. If you are not the intended recipient (or have received this email in error) please notify the sender immediately and destroy this e-mail. Any unauthorized copying, disclosure, or distribution of the material in this e-mail is strictly forbidden. Under the Privacy Act of 1974, all data of a private nature must be protected from unauthorized disclosure.

Please be advised that communication by unencrypted e-mail presents a risk of disclosure of the transmitted information to, or interception by, unintended third parties. Please keep this in mind when communicating with OCR by e-mail. Your use of email to communicate Protected Health Information or other information of a confidential nature to us indicates that you acknowledge and accept the possible risks associated with such communication. Please consider communicating any sensitive information by telephone, fax, or mail. If you do not wish to have your information sent by email, please contact the sender immediately.

English – If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.

Español – Spanish – Si usted habla español marque 1800 368-1019 (o a la línea de teléfono por texto TTY 1800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.

中文 – Chinese – 如果你讲中文，请拨打1-800-368-1019（打字电话：1-800-537-7697），你将被连接到一位讲同语种的翻译员为你提供免费服务

Tiếng Việt – Vietnamese – Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.

한국어 – Korean – 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.

Tagalog (Filipino) – Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-368-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.

Русский – Russian – Если вы говорите по-русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно

From: Wyatt Rowe <missionlen@hotmail.com>
Sent: Wednesday, June 15, 2022 2:41 PM
To: Petty, Courtney (HHS/OCR) <Courtney.Petty@hhs.gov>
Cc: Casework@rickscott.senate.gov
Subject: RE: OCR #22-477870

Leonard Wyatt Rowe III

1935 Jeri Kay Lane
Sebring, FL 33870
863-799-4806

(Please preserve my privacy of this number)

Date: June 15, 2022

Good day Ms. Petty,

I can't read your June, 10th encrypted message I am replying to (See message at the bottom).

Someone from OCR sent me a previous encrypted message on May 2nd and on May 4th I messaged (OCR was unresponsive) back that I could not read the encrypted message (If you need me to resend the May 4th email, let me know) and I asked in the May 4th message to either send me a hard copy by mail or send me the message unencrypted to my email address.

Nothing has changed I can't read the June 10th encrypted message either. I don't know what or who you are protecting. My contact information and HCA contact information has been available in several, unencrypted email exchanges. If you are trying to protect your decision then you are violating the laws for government agencies to be transparent and complaints be a public record. Please in your message explain to me why a public record is being encrypted when all other email exchanges have not been encrypted in your replies.

Please send me a readable copy of the encrypted May 2nd message for my records and please send me a readable copy of this encrypted, June 10th message as well. Please send both copies either by way of my USPS address above or by



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights

Headquarters • Humphrey Building
200 Independence Ave., S.W. • Washington, D.C. 20201
Voice: (800) 368-1019 • TDD: (800) 537-7697
Fax: (202) 619-3818 • www.hhs.gov/ocr

May 2, 2022

Leonard Wyatt III Rowe
1935 Jeri Kay Lane
Sebring, FL 33870

Re: OCR Transaction Number: CU-22-475764
Rowe, Leonard Wyatt III vs. HCA Florida Highlands Hospital

Dear Leonard Wyatt III Rowe:

On April 11, 2022, the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR), received your complaint alleging that HCA Florida Highlands Hospital, the covered entity, has violated the Federal Standards for Privacy of Individually Identifiable Health Information and/or the Security Standards for the Protection of Electronic Protected Health Information (45 C.F.R. Parts 160 and 164, Subparts A, C, and E, the Privacy and Security Rules). Specifically, you allege that on March 25, 2022, HCA Florida Highlands Hospital allowed an unknown individual to forge your signature on a ten-page document that contained your protected health information. This allegation could reflect a violation of 45 C.F.R. § 164.530(c).

Thank you for bringing this matter to OCR's attention. Your complaint is an integral part of OCR's enforcement efforts.

OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

A covered entity must maintain reasonable and appropriate administrative, technical, and physical safeguards to prevent intentional or unintentional use or disclosure of protected health information in violation of the Privacy Rule and to limit its incidental use and disclosure pursuant to otherwise permitted or required use or disclosure. 45 C.F.R. § 164.530(c). For example, such safeguards might include shredding documents containing protected health information before discarding them, securing medical records with lock and key or passcode, and limiting access to keys or passcodes.

We have carefully reviewed your complaint against HCA Florida Highlands Hospital and have determined to resolve this matter informally through the provision of technical assistance to HCA Florida Highlands Hospital. Should OCR receive a similar allegation of noncompliance against HCA Florida Highlands Hospital in the future, OCR may initiate a formal investigation of that matter.

For your informational purposes, OCR has enclosed material regarding the Privacy Rule provisions related to Safeguards.

Based on the foregoing, OCR is closing this case without further action, effective the date of this letter. OCR's determination as stated in this letter applies only to the allegations in this complaint that were reviewed by OCR.

U.S Department of Health and Human Services
Office for Civil Rights
Headquarters • Humphrey Building
200 Independence Ave., S.W. • Washington, D.C. 20201

If you have any questions regarding this matter, please contact Centralized Case Management Operations at (800) 368-1019 or (202) 619-3257 (TDD).

Sincerely,



Maqueda M. Fuller
Supervisor, Centralized Case Management
Operations (CCMO)

Enclosure: Reasonable Safeguards

English		If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.
Español Spanish	-	Si usted habla español marque 1-800-368-1019 (o a la línea de teléfono por texto TTY 1-800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.
中文 - Chinese		如果你讲中文, 请拨打1-800-368-1019 (打字电话: 1-800-537-7697), 你将被连接到一位讲同语种的翻译员为你提供免费服务。
Tiếng Việt Vietnamese	-	Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.
한국어 Korean	-	한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.
Tagalog (Filipino)		Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-368-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.
Русский Russian	-	Если вы говорите по- русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно.

Reasonable Safeguards

45 C.F.R. § 164.530(c)

A covered entity must have in place appropriate administrative, technical, and physical safeguards that protect against uses and disclosures not permitted by the Privacy Rule, as well as that limit incidental uses or disclosures. See 45 C.F.R. §164.530 (c). It is not expected that a covered entity's safeguards guarantee the privacy of protected health information from any and all potential risks. Reasonable safeguards will vary from covered entity to covered entity depending on factors, such as the size of the covered entity and the nature of its business. In implementing reasonable safeguards, covered entities should analyze their own needs and circumstances, such as the nature of the protected health information it holds, and assess the potential risks to patients' privacy. Covered entities should also take into account the potential effects on patient care and may consider other issues, such as the financial and administrative burden of implementing particular safeguards.

Many health care providers and professionals have long made it a practice to ensure reasonable safeguards for individuals' health information – for instance:

- By speaking quietly when discussing a patient's condition with family members in a waiting room or other public area;
- By avoiding using patients' names in public hallways and elevators, and posting signs to remind employees to protect patient confidentiality;
- By isolating or locking file cabinets or records rooms; or
- By providing additional security, such as passwords, on computers maintaining personal information.

Protection of patient confidentiality is an important practice for many health care and health information management professionals; covered entities can build upon those codes of conduct to develop the reasonable safeguards required by the Privacy Rule.

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Wednesday, June 15, 2022 7:28 PM
To: casework@Rickscott.senate.gov
Subject: Privacy form and other supportive information.
Attachments: Complete - 220301-Final_Privacy_Form_Rick_Scott-Fillable 6-15-22.pdf

Leonard Wyatt Rowe III

1935 Jeri Kay Lane

Sebring, FL 33870

863-799-4806

(Please preserve my privacy of this number)

Bonita thank you for calling me today. I have attached the privacy form.

The following is transcribed in the Brief Statement entered in the Privacy Form. It is just easier to read.

Just so you know my concerns are that of a concerned citizen, a concerned Veteran and the son of disabled Veteran who at the age of 18 was critically wounded on June 6, 1944.

I am not expecting any monetary damages per se, that is unless I am entitled to such.

My concerns are with **HCA Healthcare** hospitals. They own 197 hospitals in 140 cities across our nation and service a million or more patients, one of which is **Highlands Regional Medical Center** of Sebring that occurred at an appointment for medical reasons on 3/26/22. The concerns are

(1) forging my name on 10 page legal consent form and ask OCR take whatever necessary steps to hold HCA/HRMC accountable and enforce any penalties for their negligence or otherwise determined. When I 1st moved to FL in 2009, my truck had no beep when I got into the driver's seat. I received 3 or 4 seatbelt violations, the last time was 2017 and I pleaded to the judge I was old and forgetful. It didn't matter to the judge my negligence and I paid the \$132 fine.

The next are procedural concerns

(2) The legal language of the consent form was difficult to understand and asked OCR to check the doc to make sure it meets HIPAA requirements and check if any of the doc compromises HIPAA Rules. If there are concerns, HCA make the necessary corrections.

(3) Upon arriving at the hospital appt I was met 1st with security and they impounded my DL and placed in a 9x13 clear envelope and gave it to someone at the front desk. I am concerned with the context of citizen's privacy in general and HIPAA Privy rules as well. I have been asking OCR to stop HCA from continuing this procedure and if not, please explain why not.. ANY employee, even the janitor has access to my private information of my DL. This procedure is unadulteratedly unnecessary. Any hospital I have been to simply checks my DL to make sure it is me and returns the DL immediately. The entire hospital does not have access to my DL information.

(4) In the context of a simple hospital appt, security required me to wear a badge on my chest with personal information. I don't want a dozen or more people in the waiting room no my name or staff that has no reasonable reason to know my name.

(5) Finally security placed a wristband around my wrist with small print with necessary personal information. I fine with that. It is pretty much all hospitals SOP.

Every hospital I have ever did business with, the wrist band was pretty much it. No badges, no DL impounded, no forgery of consent forms, just a wrist band. If they allow big tech hospitals to make the laws, next thing you know other big tech companies will make it a law that we wear badges on our chest just to go to the store. That is about it in a nutshell. If you review my emails I go into greater detail.

The end.

Emails to from the Senator Scott asking for help

From Scott: 5/2/2022 10:54 AM – hours later OCR sent message (probably you contacted OCR in that time frame & why responded) 5/2/2022 5:28 PM. The May 2 message was encrypted & May 4 I asked to decrypt and didn't.

From Me: 5/4/2022 11:47 AM - telling you about OCR 5/2/22 message was unreadable.

From Me: 5/4/2022 11:49 AM - Thank you for helping me and other related concerns.

From Scott: 5/26/2022 3:41 PM – Forwarded email from OCR claiming they resolved the complaint with the encrypted message of May 2. They never mentioned my May 4 email to OCR telling them the message was unreadable

From Me: 5/27/2022 12:15 PM – thanking you for your help

To Scott: 6/9/2022 7:08 PM – **Briefly results of OCR Petty Phone Conversation of June 6.** Discussed the lack of results/services from OCR. Also discussed the unreadable My 2, message from OCR and other related. The next day I was emailed by OCR Petty (probably because you contacted them about my concerns of my 6/9/22 email to you). The 6/10/22 email was again encrypted and again unreadable.

From Me: 6/13/2022 5:47 PM – Forwarding OCR Petty 6/10/22 email message encrypted and unreadable. Discussed OCR playing games with my case. Arguing OCR's security of protecting a public record of their encrypted decision makings. I also attached a 2 pg document with a DuckDuckgo search results of "How important is transparency in government".

From Me to OCR Petty and Cc sent to Scott: Wed 6/15/2022 2:41 PM - Asked Petty again to decrypt the May 2 and the June 10 encrypted messages sent. The message contained snippets related to the matter.

Just a point. I don't think Petty had much to do with the bad decision making. In our June 6 phone call she mentioned her supervisor more than once. I believe the supervisor in question is using Petty as a pawn to do the supervisor's dirty work. What OCR is doing to me is far worse than what HCA has done to me. I don't know if anything can be done to hold them accountable. A simple letter added to the supervisor's records would satisfy me if possible. If they have treated me this way, I don't think it is their 1st rodeo. It is so important to the people that their government treat citizens fairly and transparently. OCR's game is to send me unreadable documents and that I would get discouraged and quit. Obviously they underestimated my intelligence and overestimated their intelligence as well as underestimating my patriotism and my concerns for fellow citizens.

Let's get this done quickly please. It has been going on almost 3 months now.

PARTY CONTACTS TO MY CONCERNS OF MY COMPLAINT;

Highlands Regional Medical Center

3600 South Highlands Avenue

Sebring, Florida, 33870

Phone 863-385-6101

Patient MRN# **D000253359**

HCA Healthcare (believe this is corporate HDQ)

One Park Plaza

Nashville, TN 37203

Phone: (615) 344-9551

<https://hcahealthcare.com/>

Note; OCR Investigator

Courtney Petty, JD, MPH

Investigator

Office for Civil Rights, Southeast Region

U.S. Department of Health and Human Services

61 Forsyth Street, S.W., Suite 16T70

Atlanta, GA 30303

(404) 562-7521

courtney.petty@hhs.gov

U.S. Senator Rick Scott Privacy Act Consent Form

By providing the information below and signing this form, I hereby authorize _____ (Agency Name) to furnish Senator Rick Scott's Office information pertaining to my claim or request. This authorization is in accordance with the Privacy Act of 1974 (Public Law 93-579).

Al proporcionar la información a continuación y firmar este documento, autorizo por la presente a _____ (nombre del agente) a proveer información a la oficina del Senador Rick Scott relacionada con mi reclamo o solicitud. Esta autorización está en conformidad con la Ley de Privacidad de 1974 (Ley Pública 93-579).

Prefix/ Prefijo: ☒ Mr. ☐ Ms. ☐ Mrs. First Name/Primer Nombre: Leonard

Middle/Segundo Nombre: Wyatt Last Name/Apellido: Rowe

Suffix/ Sufijo: ☐ Sr. ☐ Jr. ☐ II ☒ III Date of Birth/Fecha de Nacimiento: 05/10/1954

Place of Birth/ Lugar de Nacimiento: Quincy, MA

Work Phone/ Teléfono Trabajo: 941-799-4806 Cell/ Celular: _____

Email/ Correo Electrónico: missionlen@hotmail.com

Address/ Dirección: 1935 Jeri Kay Lane

City/ Ciudad: Sebring State/ Estado: FL Zip Code / Código Postal: 33870

Social Security # (Not required for USCIS/Medicare inquiries / Número de Seguro Social (no requerido para USCIS/casos de Medicare): 012-44-2047 Medicare # N/A

VA # (if applicable)/ Identificación de Veterano: Same as SSN

Alien # (if applicable)/ Número de Extranjero: Born and raised in the USA

Immigration Case #/ Número de Caso: N/A

☐ Please add me to Senator Rick Scott's E-Newsletter/ Por favor suscribame al boletín electrónico del Senador Rick Scott
I am already subscribed.

**Briefly state your problem and how you would like Senator Scott to assist you.
This is required. / Describa brevemente su problema y cómo le gustaría que el
Senador Scott le ayudara. Esto es necesario.**

Just so you know my concerns are that of a concerned citizen, a concerned Veteran and the son of disabled Veteran who at the age of 18 was critically wounded on June 6, 1944.

I am not expecting any monetary damages per se, that is unless I am entitled to such.

My concerns are with HCA Healthcare hospitals. They own 197 hospitals in 140 cities across our nation and service a million or more patients, one of which is Highlands Regional Medical Center of Sebring that occurred at an appointment for medical reasons on 3/26/22. The concerns are (1) forging my name on 10 page legal consent form and I ask OCR take whatever necessary steps to hold HCA/HRMC accountable and enforce any penalties for their negligence or otherwise determined. When I 1st moved to FL in 2009, my truck had no beep when I got into the driver's seat. I received 3 or 4 seatbelt violations, the last time was 2017 and I pleaded to the judge I was old and forgetful. It didn't matter to the judge my negligence and I paid the \$132 fine.

The next are procedural concerns (2) The legal language of the consent form was difficult to understand and asked OCR to check the doc to make sure it meets HIPAA requirements and check if any of the doc compromises HIPAA Rules. If there are concerns, HCA make the necessary corrections. (3) Upon arriving at the hospital appt I was met 1st with security and they impounded my DL and placed in a 9x13 clear envelope and gave it to someone at the front desk. I am concerned with the context of citizen's privacy in general and HIPAA Privy rules as well. I have been asking OCR to stop HCA from continuing this procedure and if not, please explain why not.. ANY employee, even the janitor has access to my private information of my DL. This procedure is unadulteratedly unnecessary. Any hospital I have been to simply checks my DL to make sure it is me and returns the DL immediately. The entire hospital does not have access to my DL information. (4) In the context of a simple hospital appt, security required me to wear a badge on my chest with personal information. I don't want a dozen or more people in the waiting room to know my name or staff that has no reasonable reason to know my name. (5) Finally security placed a wristband around my wrist with small print with necessary personal information.

Every hospital I have ever done business with, the wrist band was pretty much it. No badges, no DL impounded, no forgery of consent forms, just a wrist band. If they allow big tech hospitals to make the laws, next thing you know other big tech companies will make it a law that we wear badges on our chest just to go to the store. That is about it in a nutshell. If you review my emails I go into greater detail.

Signature/ Firma: _____



Date/ Fecha: 6/15/2022

Signature must be from an individual who is 18 years of age or older and is requesting assistance or has a case pending with a federal agency. Third party signatures of any kind are not valid. Electronic signatures are not valid.

La firma debe ser de un individuo de 18 años de edad o más y que esté solicitando asistencia o tenga un caso pendiente con una agencia federal. Las firmas de terceras personas no son válidas. Las firmas electrónicas no son válidas.

FOR INQUIRIES TO UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS), in accordance with 6 C.F.R.5.21(d): I, _____, certify, under penalty of perjury, that 1) I provided or authorized all of the information in this privacy release form and any document submitted with it; 2) I reviewed and understand all of the information contained within this privacy form and submitted with it; and 3) all of this information is complete, true, and correct.

PARA LAS CONSULTAS A LOS SERVICIOS DE CIUDADANÍA E INMIGRACIÓN DE LOS ESTADOS UNIDOS (USCIS), de acuerdo con 6 C.F.R.5.21 (d):

Yo, _____, certifico, bajo pena de perjurio, que 1) proporcioné o autoricé toda la información en este documento de privacidad y cualquier documento presentado con el mismo; 2) revisé y entiendo toda la información contenida en este documento de privacidad y documentos presentados con el mismo; y 3) toda esta información es completa, verdadera y correcta.

Signature/ Firma: _____

Date/ Fecha: _____

Please return this form using one of the following methods:

- Fax 202-228-4535
- Email casework@Rickscott.senate.gov
- U.S. Mail to the office nearest you.

Por favor devuelva este formulario utilizando uno de los siguientes métodos:

- *por fax 202-228-4535*
- *por correo electrónico a casework@Rickscott.senate.gov*
- *por correo a la oficina más cercana a usted*

502 Hart Senate Office Building, Washington, DC 20510 | (202) 224-5274

**111 N. Adams Street, Ste. 208,
Tallahassee, FL 32301
(850) 942-8415**

**801 North Florida Ave, Ste. 421,
Tampa, FL 33602
(813) 225-7040**

**3299 Tamiami Trail East, #106,
Naples, FL 34112
(239) 231-7890**

**225 East Robinson Street,
Ste. 410, Orlando, FL 32801
(407) 872-7161**

**415 Clematis Street, Ste. 201,
West Palm Beach, FL 33401
(561) 514-0189**

**901 Ponce de Leon Blvd, Ste. 505
Miami, FL 33134
(786) 501-7141**

**One Courthouse Square,
Ste. 3205 Kissimmee, FL 34741
(407) 586-7879
*By Appointment Only***

**221 Palafox Place, Ste. 420,
Pensacola, FL 32502
(850) 760-5151**

**400 West Bay Street, Ste. 289,
Jacksonville, FL 32202
(904) 479-7227**

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Thursday, June 16, 2022 9:53 AM
To: Petty, Courtney (HHS/OCR)
Cc: casework@Rickscott.senate.gov
Subject: Reply: OCR #22-477870
Attachments: 475764_Safeguards(C)-27098529.pdf

Leonard Wyatt Rowe III
941-799-4806

Date June 16, 2022

Dear Ms. Petty,

Could you kindly give me a reasonable explanation as to why the May 2, message was encrypted. i.e. what in the message is protected when all that information has been shared in several email exchanges. So what cause is OCR encrypting in their dubious decision process? I will remind you your office and other government entities are under strict rules of public records and transparency. If this secure messaging is normal procedures in your decision making, you need to stop such procedures in treating other citizens this way and be significantly more transparent in the future. Ironically the procedures of HCA hospitals are also problems of procedures I have been complaining about.

To quote you; "Thank you for letting me know you were unable to open the secure message that I sent " I let OCR know on May 4, that I could not read or open the encrypted, May 2, secure message. Thank you after a month in half you finally released to me a readable copy. That is another procedural concern of OCR procedures in not timely responding and forcing me to contact Senator Scott for help. No citizen should have to go through what you have put me and Scott through.

I am letting you know, albeit you already know, that just last week, June 10, you Ms. Petty sent me another encrypted, protected secure message that is unreadable to me. Could you please send me a readable version of this document and please explain what information in that document is protected. If there is no reason, why did you encrypt the message. If you do not answer this question and the same question of the May 2, one can only presume that there is not or was not any reason to encrypt both of those messages. Again OCR procedural concerns.

You and your colleagues have made it necessary for me to contact Senator Scott in order to get OCR to respond and comply to my concerns. Senator Scott and his office staff work very hard to represent our state and our country. Why are you and others in OCR making it difficult for me and making it difficult for Senator Scott. He has much more important business on his plate than contacting OCR all the time just to get you to respond to my concerns.

What I have asked of OCR have been fair and straight forward concerns. OCR has turned my simple concerns, when you finally respond to my concerns, into unnecessary delays, complex replies and unneeded encrypting of messages, consequently putting a burden on my time and a burden on Senator Scott's time needlessly. OCR needs to stop playing

games, act timely, be straight forward and be direct in their responses and change procedures as needed. Do not continue to make me ask Scott for help because of your failures to communicate.

I think OCR needs to have a team meeting to discuss procedures, the same procedural concerns I have already remarked to.

You probably won't because who am I to tell you how to do your business. No matter who I am, it does not change your needs for improvement whoever it comes from.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard

"Semper Paratus," Always Ready

A handwritten signature in black ink, appearing to read 'LWR III', with a stylized flourish at the end.

missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Thursday, June 16, 2022 10:03 AM
To: Wyatt Rowe
Cc: casework@Rickscott.senate.gov
Subject: RE: Reply: OCR #22-477870

Dear Mr. Rowe,

Thank you for your email. I will pass along your concerns regarding OCR's procedure of encrypting emails that have letters attached.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



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English – If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.

Español – Spanish – Si usted habla español marque 1800 368-1019 (o a la línea de teléfono por texto TTY 1800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.

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한국어 – Korean – 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.

Tagalog (Filipino) – Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-369-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Thursday, June 16, 2022 10:41 AM
To: Petty, Courtney (HHS/OCR)
Cc: casework@Rickscott.senate.gov
Subject: RE: OCR #22-477870

Dear Ms. Petty,

I forgot to question your response to fraud.

You mentioned that OCR does not handle fraud. I am not sure why fraud has no affect on my civil rights when it is all part of the whole case. That is like a thief caught speeding and DUI. All appropriate agencies in the matter are contacted and with that information and witnesses from the agencies, they go to trial. They don't pass the buck to DMV. The prosecutor takes responsibility to the whole caboodle.

You then state for ME to contact *website* <https://oiq.hhs.gov/fraud/> I think since fraud is a significant part of civil my case and since all the background of my case is related to the fraud, that it is your responsibility for you to find someone to help and you work together in the same case. Passing the buck to a phone number or a website is not helping. Please do your job and you contact the website and you let them know why you are contacting them for me and fill them in with the background of the case and how fraud is connected to my civil rights and you tell them WHY you cannot help in the fraud complaint. All charges in my complaint are connected to each other and all happened at the same time. You can't chop it up into little pieces and one agency prosecutes this and the other agency prosecutes that. Some agency has to prosecute something that all happened at the same time and not in separate prosecutions.

Please do your job

From: Petty, Courtney (HHS/OCR) [mailto:Courtney.Petty@hhs.gov]
Sent: Wednesday, June 15, 2022 5:09 PM
To: Wyatt Rowe
Subject: RE: OCR #22-477870

Dear Mr. Rowe,

Thank you for letting me know you were unable to open the secure message that I sent. I have copied the contents of the original message below, and attached the letter that was sent:

Thank you for speaking with me earlier this week. I stated that I would attach the letter that HHS mailed to you in May from the D.C. office, since you did not receive it. Please see attached.

As I mentioned, OCR does not handle fraud complaints. However, you may wish to submit a complaint to the HHS Office of the Inspector General regarding your fraud concerns. Here is a link to their website <https://oiq.hhs.gov/fraud/>

OCR is still reviewing your additional privacy concerns.

See Email #27 for rest

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Thursday, June 16, 2022 10:48 AM
To: Petty, Courtney (HHS/OCR)
Subject: RE: Reply: OCR #22-477870

Dear Ms. Petty,

Thank you for doing that. Let me know what their decision is if they in fact arrive at a decision.

Don't forget decrypting your June 10 secure message.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard

"Semper Paratus," Always Ready



missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Thursday, June 16, 2022 11:39 AM
To: Wyatt Rowe
Subject: RE: Reply: OCR #22-477870

Dear Mr. Rowe,

The email that I sent to you yesterday containing the May 2nd letter has the message from my June 10th email in *italics*.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



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Русский – Russian – Если вы говорите по-русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Thursday, June 16, 2022 12:34 PM
To: Petty, Courtney (HHS/OCR)
Subject: OCR #22-477870
Attachments: 475764_Safeguards(C)-27098529.pdf

Dear Ms. Petty,

Below is a snippet you just see me.

In the message you claim "The email that I sent to you yesterday containing the May 2nd letter has the message from my June 10th email in *italics*."

I examined the May 2 attached document you sent yesterday and in no part of the attached document is there any italicized print; however, PART of the message itself has italicized print. It has no date of the italicized print. It has no identification where the italicized print came from. See June 15 message below.

In the interest of clarity and transparency and to make sure you did not leave any part of the message out, could you kindly attach me a copy of the encrypted document sent to me on June 10 and with the document decrypted? I am not interested in you transcribing the document. I am interested in the decrypted document itself. Just like you sent me the May 2 decrypted document itself.

Thank you

Leonard Wyatt Rowe III
15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready



Snippet of your last message.

RE: Reply: OCR #22-477870

Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]

Sent: Thu 6/16/2022 11:39 AM

To: Wyatt Rowe

Dear Mr. Rowe,

The email that I sent to you yesterday containing the May 2nd letter has the message from my June 10th email in *italics*.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



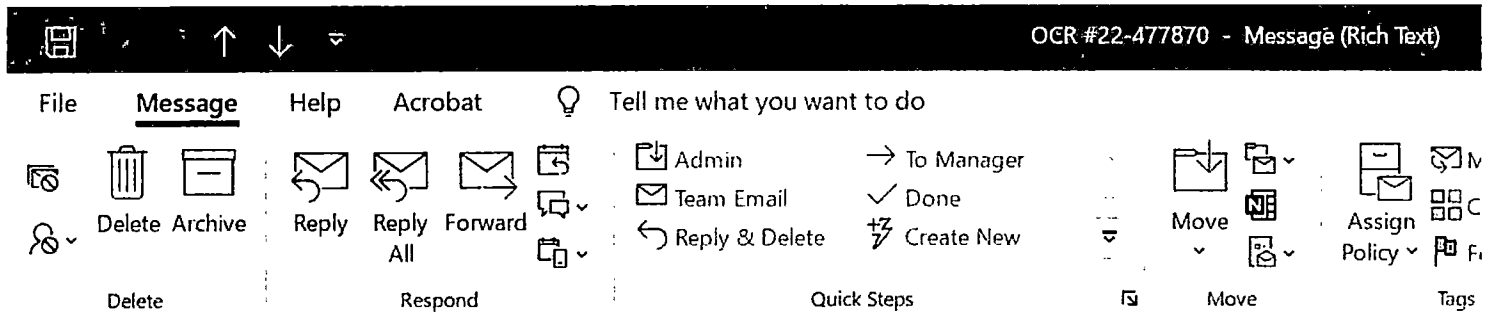
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missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Thursday, June 16, 2022 12:41 PM
To: Wyatt Rowe
Subject: RE: OCR #22-477870

Dear Mr. Rowe,

The document itself was not encrypted, only the email. Below is a screenshot of the email that was sent to you on June 10th. The letter dated May 2nd that was emailed to you on 6/15/22 is the attachment.



OCR #22-477870



Petty, Courtney (HHS/OCR)

To 'Wyatt Rowe'

ⓘ Encrypt-Only - This message is encrypted. Recipients can't remove encryption.
Permission granted by: Courtney.Petty@hhs.gov

Dear Mr. Rowe,

Thank you for speaking with me earlier this week. I stated that I would attach the letter that HHS mailed to you in May from the

As I mentioned, OCR does not handle fraud complaints. However, you may wish to submit a complaint to the HHS Office of the
<https://oig.hhs.gov/fraud/>



475764_Safegua...

OCR is still reviewing your additional privacy concerns.

Thank you,

Courtney Petty, JD, MPH

Investigator

Office for Civil Rights, Southeast Region

U.S. Department of Health and Human Services



Thank you,

Courtney Petty, JD, MPH

Investigator

Office for Civil Rights, Southeast Region

U.S. Department of Health and Human Services

61 Forsyth Street, S.W., Suite 16T70

Atlanta, GA 30303

(404) 562-7521

courtney.petty@hhs.gov



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missionlen@hotmail.com

From: Wyatt Rowe
Sent: Thursday, June 16, 2022 2:24 PM
To: Petty, Courtney (HHS/OCR)
Subject: RE: OCR #22-477870

Dear Ms. Courtney,

If that's the best you can do, I will just have to settle with that. Again I see nothing in that short message that needs to be protected.

This mixed up procedure should be brought up in a team meeting as well to improve OCR services.

I will be standing by for answers to the questions I have asked in recent emails.

I am also still waiting for a final decision in what OCR is going to do about my concerns. Let me know as soon as you are able what if anything you are going to do. All I am asking for is for the HCA hospital conglomerate, with a million patients or more, conduct their procedures like the rest of the hospitals in our country, i.e. show them your DL to prove its you and then put the necessary info on a wristband. Done! You are not harming HCA to follow such common procedures, you are more than anything helping them in making their services less difficult.

As I have stated before and with respect to common sense and common courtesy, please forward my concerns to the website you mentioned. Then you can wash your hands of that, albeit I disagree with you passing the buck. That is not really a whole lot to ask and there is nothing legally stopping you in something that happens quite often in all different situations. It is just another part in helping me the best you can in my concerns.

Leonard Wyatt Rowe III
15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready



PS; check your OneDrive. It looks like it is not working.

missionlen@hotmail.com

From: Senator Rick Scott (imailagent) [Casework@rickscott.senate.gov]
Sent: Thursday, June 16, 2022 3:21 PM
To: missionlen@hotmail.com
Subject: From Senator Rick Scott's Office - Privacy Form Sent to Agency (Intranet Quorum IMA00165943)
Attachments: IQFormatFile.txt



Dear Mr. Rowe,

Thank you for contacting Senator Rick Scott's Office about your concerns with the U.S. Department of Health and Human Services and providing us with a completed Privacy Act form. I appreciate the opportunity to assist you.

We have sent your Privacy Act form and information to the U.S. Department of Health and Human Services and will let you know when we have received an update regarding your situation. Please be aware that it may be several weeks before we receive a response from the agency. Once the agency provides us an update on your request, we will reach out to you as soon as possible.

Please bear in mind that the rules of the U.S. Senate do not allow us to force an agency to expedite your case or to act in your favor. Our office is not able to offer legal advice or recommend an attorney, or intervene in, or influence the outcome of, cases that are under the jurisdiction of any court. However, we will do our best to assist you in whatever ways that we can.

We look forward to working with you.

Sincerely,

Mark Peluso
Constituent Services
Office of U.S. Senator Rick Scott
813-225-7040
Fax: 202-228-4535

To ensure that your response is handled in the most efficient manner possible, please reply directly to this message sent

from casework@rickscott.senate.gov.

If you call our office and we are assisting other callers, the fastest way to reach a staff member is to leave a voicemail with your name, phone number, and email address, or visit our website at rickscott.senate.gov. Thank you.

missionlen@hotmail.com

From: OS OCR CIU/CRC [osocrciu@hhs.gov]
Sent: Thursday, June 16, 2022 4:13 PM
To: missionlen@hotmail.com
Subject: HHS OCR Transaction No.: CU-22-484709
Attachments: message_v2.rpmsg



OS OCR CIU/CRC (osocrciu@hhs.gov) has sent you a protected message.



[Read Secure Message](#)

Learn about messages protected by Office 365 Message Encryption.

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[Privacy Statement](#)

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Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Friday, June 17, 2022 10:35 AM
To: OS OCR CIU/CRC
Cc: Courtney.Petty@hhs.gov; Casework@rickscott.senate.gov
Subject: RE: HHS OCR Transaction No.: CU-22-484709

Dear Person,

This is the 3rd or 4th time I have been sent an encrypted message and just like all previous secure messages, the "protected message" is unreadable to me. Please send me a readable document of this "protected message" either by US Mail, an email with an unencrypted attachment or simply the message be sent in the body text of an email. It is that easy.

In your reply, could you also explain to me what in the context of the message is protected information and why it is protected information.

Thank you

Leonard Wyatt Rowe III
15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready



From: OS OCR CIU/CRC [<mailto:osocrciu@hhs.gov>]
Sent: Thursday, June 16, 2022 4:13 PM
To: missionlen@hotmail.com
Subject: HHS OCR Transaction No.: CU-22-484709



OS OCR CIU/CRC (osocrciu@hhs.gov) has sent you a protected message.



[Read Secure Message](#)

Learn about messages protected by Office 365 Message Encryption.

Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and destroy and delete any copies you may have received.

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Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Friday, June 17, 2022 11:12 AM
To: Senator Rick Scott (imailagent)
Subject: RE: From Senator Rick Scott's Office - Privacy Form Sent to Agency (Intranet Quorum IMA00165943)

Dear Senator and Staff,

Thank you so much for your support. You are not only helping me, but you are very much more helping millions of citizens unwittingly. I don't want my name or other personal information advertised to strangers who have no right to know even my name.

Your help so far has helped; however, the staff at OCR are unreasonably stubborn and have shown hardly any respect to me.

TY Bonita

Leonard Wyatt Rowe III
15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready



)

missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Friday, June 17, 2022 12:04 PM
To: Wyatt Rowe
Subject: OCR #22-477870
Attachments: 22-477870_Complainant.pdf

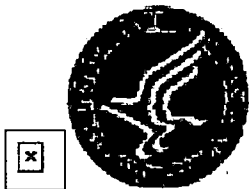
Dear Mr. Rowe,

Please see the attached letter from OCR regarding your privacy complaint.

In addition, as I mentioned during our call on June 6th, if you believe that your medical record is inaccurate or incomplete, you have the right to request an Amendment of Protected Health Information, with HCA Florida Highlands Hospital (the covered entity). Here is a link to OCR's website with more information <https://www.hhs.gov/hipaa/for-individuals/medical-records/index.html#:~:text=If%20you%20think%20the%20information,amend%20inaccurate%20or%20incomplete%20informati> on. Under 45 CFR Sec. 164.526, the covered entity may require that you submit your request in writing. The covered entity has 60 days to respond to your request, by either granting your request in whole or in part, or denying your request. If the covered entity denies any part of your request, it must provide you with a written denial: explaining the basis for the denial, how you can file a statement of disagreement with the denial, and how you can file a complaint with the covered entity.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



This e-mail may contain sensitive and/or privileged information. If you are not the intended recipient (or have received this email in error) please notify the sender immediately and destroy this e-mail. Any unauthorized copying, disclosure, or distribution of the material in this e-mail is strictly forbidden. Under the Privacy Act of 1974, all data of a private nature must be protected from unauthorized disclosure.

Please be advised that communication by unencrypted e-mail presents a risk of disclosure of the transmitted information to, or interception by, unintended third parties. Please keep this in mind when communicating with OCR by e-mail. Your use of email to communicate Protected Health Information or other information of a confidential nature to us indicates that you acknowledge and accept the possible risks associated with such communication. Please consider communicating any sensitive information by telephone, fax, or mail. If you do not wish to have your information sent by email, please contact the sender immediately.

English – If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.

Español – Spanish – Si usted habla español marque 1800 368-1019 (o a la línea de teléfono por texto TTY 1800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.

中文 – Chinese – 如果你讲中文，请拨打1-800-368-1019（打字电话：1-800-537-7697），你将被连接到一位讲同语种的翻译员为你提供免费服务

Tiếng Việt – Vietnamese – Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.

한국어 – Korean – 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.

Tagalog (Filipino) – Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-368-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.

Русский – Russian – Если вы говорите по-русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights

Southeast Region • Atlanta Federal Center
Suite 16T70 • 61 Forsyth Street, S.W. • Atlanta GA 30303
Voice - (800) 368-1019 • TDD - (800) 537-7697
Fax - (202) 619-3818 • <http://www.hhs.gov/ocr>

June 17, 2022

Via Email

Leonard Wyatt Rowe III
1935 Jeri Kay Lane
Sebring, FL 33870
missionlen@hotmail.com

OCR Transaction Number: 22-477870

Dear Mr. Rowe:

On April 11, 2022, the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR), received your complaint alleging that HCA Florida Highlands Hospital (HCA), the covered entity has violated the Federal Standards for Privacy of Individually Identifiable Health Information and/or the Security Standards for the Protection of Electronic Protected Health Information (45 C.F.R. Parts 160 and 164, Subparts A, C, and E, the Privacy and Security Rules). Specifically, you allege that on March 25, 2022, HCA required you to wear a badge with your name and other personal information visible to other patients in the waiting room. Also, you allege that HCA did not provide you with treatment because you refused to sign a Consent to Treat document. These allegations could reflect violations of 45 C.F.R. § 164.530(c), §164.508(b)(4), and a number of provisions of the Security Rule.

You also allege that HCA required you to wear a wristband with your protected health information (PHI) printed on it. You further allege that HCA's security desk impounded your driver's license in a clear envelope, for all staff to view, and you were required to sign, via iPad, a Consent to Treat document with legal language that you could not understand nor make comments on. You do not believe the document was written for persons of average intelligence to understand. In addition, you allege that you requested a copy of your medical record from your March 25, 2022 visit, and once received, found that someone else had signed and initialed the Consent to Treat document that you refused to sign.¹

Thank you for bringing this matter to OCR's attention. Your complaint is an integral part of OCR's enforcement efforts.

OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

¹ OCR has determined that it will not further investigate these allegations. OCR has referred the relevant allegations to the U.S. Department of Health and Human Services, Office of Inspector General.

OCR Transaction Number: 22-477870

Page 2

Covered entities and business associates must maintain reasonable and appropriate administrative, technical, and physical safeguards to prevent intentional or unintentional uses or disclosures of protected health information (PHI), including electronic PHI (ePHI), in violation of the Privacy Rule and to limit its incidental uses and disclosures pursuant to an otherwise permitted or required use or disclosure. *See* 45 C.F.R. § 164.530(c). Covered entities and business associates are also required to comply with the provisions of the Security Rule found at 45 C.F.R. §§ 164.302 – 164.318.

Under 45 C.F.R. §164.508(b)(4), a covered entity may not condition the provision to an individual of treatment, payment, enrollment, in the health plan, or eligibility for benefits on the provision of an authorization, unless allowed by an exception.

Additionally, covered entities and their business associates have an obligation to ensure that access to ePHI is allowed only to persons or software programs that have been granted access rights as specified in 45 C.F.R. §164.308(a)(4). *See* 45 C.F.R. § 164.312(a)(1) (access control). In addition, under the Security Rule, covered entities and their business associates must implement policies and procedures to prevent, detect, contain, and correct security violations pursuant to 45 C.F.R. §164.308(a)(1)(i).

We have carefully reviewed your complaint against the covered entity and have determined to resolve this matter informally through the provision of technical assistance. Should OCR receive a similar allegation of noncompliance against the covered entity in the future, OCR may initiate a formal investigation of that matter.

Based on the foregoing, OCR is closing this case without further action, effective the date of this letter. OCR's determination as stated in this letter applies only to the allegations in this complaint that were reviewed by OCR.

If you have any questions regarding this matter, please contact Courtney Petty, Investigator, at (404) 562-7521 (voice) or (404) 562-7884 (TDD) or courtney.petty@hhs.gov.

Sincerely,



for Barbara Stampul
Regional Manager

Enclosure: Reasonable Safeguards

OCR Transaction Number: 22-477870

Page 3

Reasonable Safeguards
45 C.F.R. § 164.530 (c)

A covered entity must have in place appropriate administrative, technical, and physical safeguards that protect against uses and disclosures not permitted by the Privacy Rule, as well as that limit incidental uses or disclosures. See 45 C.F.R. § 164.530 (c). It is not expected that a covered entity's safeguards guarantee the privacy of protected health information from any and all potential risks. Reasonable safeguards will vary from covered entity to covered entity depending on factors, such as the size of the covered entity and the nature of its business. In implementing reasonable safeguards, covered entities should analyze their own needs and circumstances, such as the nature of the protected health information it holds, and assess the potential risks to patients' privacy. Covered entities should also take into account the potential effects on patient care and may consider other issues, such as the financial and administrative burden of implementing particular safeguards.

Many health care providers and professionals have long made it a practice to ensure reasonable safeguards for individuals' health information – for instance:

1. By speaking quietly when discussing a patient's condition with family members in a waiting room or other public area;
2. By avoiding using patients' names in public hallways and elevators, and posting signs to remind employees to protect patient confidentiality;
3. By isolating or locking file cabinets or records rooms; or
4. By providing additional security, such as passwords, on computers maintaining personal information.

Specifically, covered entities must:

1. Ensure the confidentiality, integrity, and availability of all e-PHI they create, receive, maintain or transmit;
2. Identify and protect against reasonably anticipated threats to the security or integrity of the information;
3. Protect against reasonably anticipated, impermissible uses or disclosures; and
4. Ensure compliance by their workforce.

Protection of patient confidentiality is an important practice for many health care and health information management professionals; covered entities can build upon those codes of conduct to develop the reasonable safeguards required by the Privacy Rule.

missionlen@hotmail.com

From: Senator Rick Scott (imailagent) [Casework@rickscott.senate.gov]
Sent: Friday, June 17, 2022 3:39 PM
To: missionlen@hotmail.com
Subject: From Senator Rick Scott - Agency Response Regarding Your Request (Intranet Quorum IMA00165943)
Attachments: IQFormatFile.txt



Dear Mr. Rowe,

Thank you for contacting Senator Rick Scott's Office about your concerns with the U.S. Department of Health and Human Services. I appreciate the opportunity to assist you.

We have received the response below from the U.S. Department of Health and Human Services.

----- Forwarded Email - Start -----

From: U.S. Department of Health and Human Services
Sent: 6/17/2022
Subject: Mr. Leonard Wyatt Rowe III – From Senator Rick Scott's Office

OCR's Southeast Regional Office resolved Mr. Rowe's complaint by the provision of technical assistance on reasonable safeguards to HCA Florida Highlands Hospital, and referred his relevant fraud allegation to the HHS Office of Inspector General. OCR also provided Mr. Rowe with education regarding individuals' amendment rights under HIPAA. Mr. Rowe was informed of this decision in a letter, dated June 17, 2022.

----- Forwarded Email - End -----

Sincerely,

Mark Peluso
Constituent Services
Office of U.S. Senator Rick Scott
813-225-7040

Fax: 202-228-4535

To ensure that your response is handled in the most efficient manner possible, please reply directly to this message sent from casework@rickscott.senate.gov.

If you call our office and we are assisting other callers, the fastest way to reach a staff member is to leave a voicemail with your name, phone number, and email address, or visit our website at rickscott.senate.gov. Thank you.

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Monday, June 20, 2022 3:49 PM
To: Petty, Courtney (HHS/OCR)
Cc: Senator Rick Scott (imailagent)
Subject: OCR #22-477870
Attachments: 22-477870_Complainant.pdf

**PROPER RESOLVE CAN EASILY BE CONSTRUED AS INNATE COMMON SENSE. PLEASE
KEEP THAT IN MIND IN YOUR INVESTIGATION AND FINAL DETERMINATION.
IN THE WORDS OF COACH BELICHICK "DO YOUR JOB"**

Any Information I ask for in this document is by way of FOIA which is to ensure informed citizens, vital to the functioning of a democratic society. The more you enforce, the less I ask for.

OCR Reply to Senator Scott – 6/17/2022

----- Forwarded Email - Start -----

From: U.S. Department of Health and Human Services
Sent: 6/17/2022
Subject: Mr. Leonard Wyatt Rowe III – From Senator Rick Scott's Office

OCR's Southeast Regional Office resolved Mr. Rowe's complaint by the provision of technical assistance on reasonable safeguards to HCA Florida Highlands Hospital, and Transaction No. OCR #22-477870. OCR also provided Mr. Rowe with education regarding individuals' amendment rights under HIPAA. Mr. Rowe was informed of this decision in a letter, dated June 17, 2022.

----- Forwarded Email - End -----

According to OCR's 6/17/2022 above response;

I believe OCR is referring to letter with attached document 22-477870 Complainant.pdf sent to me the same day.

The claim that OCR resolved the matter according to HIPAA Privacy rules is arguable and I believe OCR needs to be more educated to those standards of **Safeguards** they are required to enforce.

For OCR to say that they educated me to is not exactly true. I studied HIPAA rights before I filed my complaint and as a result of my self-education is why I filed my complaint. All my complaints, OCR have never disputed the claims to be false claims or the claims are NOT violating the **Safeguards**. To say I was educated on how OCR avoids investigations outside *individuals' amendment rights under HIPAA* is what OCR has taught me the most.

A review of 22-477870 Complainant.pdf attachment 6/17/2022

It appears I have educated OCR not to send me "protected messages" when such messages have absolutely not met the standards to protect such messages. It took a while, but I think they learned something. Now if they apply that lesson

learned to every citizen complaints in the future, then they really learned something. OCR has to understand as a public entity and government entity they have to follow the rules of transparency, public records and FOIA request. I am sure many citizens have been discouraged and intimidated by OCR decisions made by way of "protected message" procedures unnecessarily. We all learn from mistakes, at least you would think so. Thank you for not encrypting your 6/17/2022 decision. You saved us both time.

First Page;

1. For the most part the 22-477870 Complainant.pdf decision of 6/17/22 described my complaints accurately and they never disputed the complaints to be invalid in any way. Because my complaints were valid, I have some concerns with your decision in the document. Let me explain.
2. The 1st paragraph stated ...*HCA required you to wear a badge with your name...* and ...*HCA did not provide you with treatment because you refused to sign a Consent to Treatment...* which is true. You conclude; *These allegations could reflect violations of 45 C.F.R. § 164.530(c), §164.508(b) (4), and a number of provisions of the Security Rule...* which I believe absolutely true and you never said could not. However, in your decision at the bottom of the 2nd page you compromise the mentioned provisions stating; ...*have determined to resolve this matter informally...* Can you tell me where in HIPAA Rules and the just mentioned *could* violations *resolved informally*? e.g. at a time when I was charged with a seatbelt violation, I was fined \$132.00. The officer didn't resolve the violation informally and tell me not to do it again. They followed the law they are required to and penalized me. Most circumstances when you break the law you are penalized one way or the other. Unless there is a legitimate reason HCA comprised HIPAA **Safeguards**, YOU are required by **LAW** to enforce any appropriate penalties; otherwise you are breaking **LAWs**. Cops have that same responsibility to enforce laws.
3. In the 2nd paragraph you acknowledge ...*HCA required you to wear a wristband* (Just so you know I have no problems with the wristband because every time I have been to a hospital since I was a child I wore the wristband.)... and ... *HCA's security desk impounded your driver's license in a clear envelope...* and ...*someone else had signed and initialed the Consent to Treat...* According to the 3rd page, it is crystal clear that these procedures violated reasonable **Safeguards**. OCR has never disputed that my claims were invalid or that legally the claims did not break any laws or **Safeguards**. With that said; OCR is required to treat ALL covered entities the same and all "covered entities" complaints that violate HIPAA **Safeguards** be determined FORMALLY not informally. That should mean that "entities" that violate HIPAA **Safeguards** submit proper procedures formally and approved by OCR formally. Case closed! Where in HIPAA Privacy Rules does it allow "covered entity" violators be treated informally? It seems the larger the entity the more they make the laws. That is more reason to treat HCA formally not informally before it becomes SOP and before it becomes SOP of other hospitals and other hospital conglomerates.
4. The rest of the first 2 pages are the same story with the same arguments and the same common sense. The education you provided to me and the information you provided in the entire document you pretty much certified and validated my concerns. Thank You.

The Foot Note;

1. Also in the 2nd paragraph you have a footnote after the last sentence. This footnote is more of decision than the definition of a footnote and does not belong as a footnote.
2. The footnote states *OCR has determined that it will not further investigate these allegations...* You don't say why and you don't say how you arrived at *not further investigate these allegations*? You never said the allegations did not violate **Safeguards**, so how would you not investigate Formally?

3. Also in the footnote *OCR has referred the relevant allegations to the U.S.[DHHS]*... You make no mention what the *relevant allegations* are. I presume you are referring exclusively to *found that someone else had signed and initialed the Consent to treat* claim. The forgery breaks the laws and further supports the negligence of the claims and their culpability of negligence. If this is not the allegation you are talking about then what are you talking about?
4. Additionally in the footnote decision you state in the footnote you will not investigate further. Are you telling me the procedures of covered entities impounding DLs and placing in a 8x13 clear envelope for janitors and the entire hospital staff to see meets HIPAA **Safeguards** and you are not going to investigate? Are you also signaling that "Covered entities" requiring patients wear badges with their name and other PI and readable to strangers in the waiting area and janitors and the entire staff meet **Safeguards** 45 C.F.R. § 164.530 (c)" and reason not to *further investigate*? So why are these violating procedures necessary when all necessary information is on the privacy procedures of the wristband? Really are all these procedures mentioned necessary and not worthy to investigate? Please explain.

The Rest;

5. Since you have ... *determined to resolve this matter informally*... That is OCR is admitting that HCA violated HIPAA **Safeguards** *informally*, otherwise why would it be necessary to be *resolved* by any which way. Why *resolved* formally or informally if there is nothing to resolve? To *resolve* the matter formally or *informally* HCA should be required to remove violating procedures and simplify to the simple "wristband" procedure accordingly like hospitals have been doing for decades. They also need to improve procedures of privacy in their use of iPads as well as improving their legal, 10 page consent form to be more readable to the average citizen.
6. In OCR's *informal* resolve are they going to check, approve and enforce the simple security procedures mentioned or is it so informal, OCR will do no follow-up or check-in? Upon HCA changes, are the changes going to be followed similarly in the other 196 hospitals? Is OCR going to approve HCA changes to all 197 hospitals? Is OCR *informally*... *closing this case without further action* i.e. does it mean you will do no review or follow-up?

Lastly;

Back to the seatbelt example;

- How many people are affected in HCA's security procedures? A million or more are affected and no penalty and no follow-up, case closed. Understand because you have not educated these millions, they don't even know HIPAA Rules are even violated. They are putting too much trust into OCR protecting them. I am sure if those millions were surveyed and asked if they agree to badges and impounding DLs procedures of HCA, common sense most would disagree.
- How many people are affected in my seatbelt violation? Only I am affected and no one else and I am formally penalized and if I don't pay the penalty, a warrant could be issued formally for my arrest and further penalties added.

Remember this case should be public record so please;

- Please send me any documentation you have sent to HCA and received from HCA.
- Please if there are no documents, don't you think there should be?
- Please if there are no docs, please send me the dates and a brief summary of ALL conversations.
- Please let me know if HCA notified you that they would change the security procedures, what those changes are at HRMC and if all 197 hospitals are part of the changes and what those changes are and when those changes would take effect. If they didn't say one way or the other, what good is the *provision of technical assistance on reasonable safeguards* and your *informal* proceedings?

-If they haven't, don't you think HCA should put their changes in writing? If they have please send a copy of the changes.

-If you aren't, don't you think you should monitor HCA to make sure they comply with procedural **Safeguards**? Check your job description.

Final Words;

You have to live with your determination and the integrity of that decision. HCA is a big tech hospital conglomerate with 197 hospitals in 140 cities and I am sure they are happy to live with your *informal resolve* and subsequent *informal* determination. More than a million citizens/patients of HCA have to live with that determination. As a concerned citizen, as a 15 year Coast Guard Veteran and the son of US Navy Veteran critically wounded at the age 18 on June 6, 1944 defending the Constitution and protecting our country from foreign threats, our entire nation has to live with that determination.

Remember hard working Americans pay your pay check.

If you let HCA pass on this, which it seems you have, then the procedures will only get worse and other hospitals will follow and next thing you know the government will require wearing badges with our names just to go to Wal-Mart with their mask of course.

"Do your Job." If you can't or won't, then get a different job.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready



From: Petty, Courtney (HHS/OCR) [mailto:Courtney.Petty@hhs.gov]
Sent: Friday, June 17, 2022 12:04 PM
To: Wyatt Rowe
Subject: OCR #22-477870

Dear Mr. Rowe,

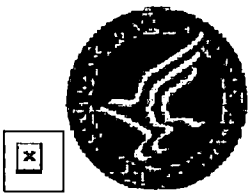
Please see the attached letter from OCR regarding your privacy complaint.

In addition, as I mentioned during our call on June 6th, if you believe that your medical record is inaccurate or incomplete, you have the right to request an Amendment of Protected Health Information, with HCA Florida Highlands Hospital (the covered entity). Here is a link to OCR's website with more information <https://www.hhs.gov/hipaa/for-individuals/medical-records/index.html#:~:text=If%20you%20think%20the%20information,amend%20inaccurate%20or%20incomplete%20informati> on. Under 45 CFR Sec. 164.526, the covered entity may require that you submit your request in writing. The covered entity has

60 days to respond to your request, by either granting your request in whole or in part, or denying your request. If the covered entity denies any part of your request, it must provide you with a written denial: explaining the basis for the denial, how you can file a statement of disagreement with the denial, and how you can file a complaint with the covered entity.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



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Please be advised that communication by unencrypted e-mail presents a risk of disclosure of the transmitted information to, or interception by, unintended third parties. Please keep this in mind when communicating with OCR by e-mail. Your use of email to communicate Protected Health Information or other information of a confidential nature to us indicates that you acknowledge and accept the possible risks associated with such communication. Please consider communicating any sensitive information by telephone, fax, or mail. If you do not wish to have your information sent by email, please contact the sender immediately.

English – If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.

Español – Spanish – Si usted habla español marque 1800 368-1019 (o a la línea de teléfono por texto TTY 1800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.

中文 – Chinese – 如果你讲中文，请拨打1-800-368-1019（打字电话：1-800-537-7697），你将被连接到一位讲同语种的翻译员为你提供免费服务。

Tiếng Việt – Vietnamese – Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.

한국어 – Korean – 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.

Tagalog (Filipino) – Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-369-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.

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missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Monday, June 20, 2022 3:50 PM
To: Wyatt Rowe
Subject: Automatic reply: OCR #22-477870

I am out of the office. I will respond to your email upon my return on Tuesday, June 21st.

Thank you,
Courtney Petty

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Monday, June 20, 2022 5:12 PM
To: Petty, Courtney (HHS/OCR)
Subject: RE: OCR #22-477870

One other thing OCR said they forwarded the fraud to DHS I believe. Have you got a copy of the document and when it was sent?

Thank you.

Leonard Wyatt Rowe III

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Thank you,
Courtney Petty

missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Thursday, June 23, 2022 12:37 PM
To: Wyatt Rowe
Subject: RE: OCR #22-477870

Dear Mr. Rowe,

Your request has been submitted to OCR's FOIA office.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



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한국어 – Korean – 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.

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From: Wyatt Rowe <missionlen@hotmail.com>
Sent: Monday, June 20, 2022 5:12 PM
To: Petty, Courtney (HHS/OCR) <Courtney.Petty@hhs.gov>
Subject: RE: OCR #22-477870

One other thing OCR said they forwarded the fraud to DHS I believe. Have you got a copy of the document and when it was sent?

Thank you.

Leonard Wyatt Rowe III

From: Petty, Courtney (HHS/OCR) [<mailto:Courtney.Petty@hhs.gov>]
Sent: Monday, June 20, 2022 3:50 PM
To: Wyatt Rowe
Subject: Automatic reply: OCR #22-477870

I am out of the office. I will respond to your email upon my return on Tuesday, June 21st.

Thank you,
Courtney Petty

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Friday, June 24, 2022 12:40 PM
To: Petty, Courtney (HHS/OCR)
Cc: Senator Rick Scott (imailagent)
Subject: RE: OCR #22-477870

Dear Ms. Petty,

In this email you only responded to information I requested in the email document; however, you have not responded to my concerns in the email document, i.e. the main subject of this email document. When can I expect a response to my concerns? If you are not going to respond to those, or respond timely, please explain.

As to my FOIA and other information request, according to gov. website much of what I requested, if not all, I have requested are Simple request and can be processed in one to five workdays from the date of the request. So please send those Simple request by Monday. If you think any of the request are at the most to be a Normal request, then Normal request are usually processed in six to twenty workdays from the date of the request. Accordingly you have until Tuesday to process the Normal or at the latest July 10th. If you are not going to respond timely, please explain.

Thank you,

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard

"Semper Paratus," Always Ready



missionlen@hotmail.com

From: Wyatt Rowe
Sent: Friday, June 24, 2022 12:40 PM
To: Petty, Courtney (HHS/OCR)
Cc: Senator Rick Scott (imailagent
Subject: RE: OCR #22-477870

Dear Ms. Petty,

What I requested was simple document(s) that should have been forwarded to me anyways as a matter of professionalism, courtesy, transparency and a significant part of my case that I am entitled to such information when it has to do with me personally in my case. The document has my name on it for crying out loud.

If you are going to classify it as a FOIA request, which it seems in my best interest;
The request is a Simple request and according to gov. website such requests require little or no search, review, or analysis. Simple request can be processed in one to five workdays from the date of the request.
Accordingly you have until Monday to respond. If you don't reply by Monday, please explain.

After you send me my request, then I can contact DHS about my concerns. If I know what and when they received such then I can discuss such with them. I have learned recently that they have not received any forgery complaint regarding me. If you send the document(s), then that can help in DHS finding such and then we can move on that issue.

Thank you, and I hope to hear from you by Monday.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard

"Semper Paratus," Always Ready

From: Petty, Courtney (HHS/OCR) [<mailto:Courtney.Petty@hhs.gov>]
Sent: Thursday, June 23, 2022 12:37 PM
To: Wyatt Rowe
Subject: RE: OCR #22-477870

Dear Mr. Rowe,

Your request has been submitted to OCR's FOIA office.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services

missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Friday, June 24, 2022 3:47 PM
To: Wyatt Rowe
Cc: Senator Rick Scott (imailagent
Subject: RE: OCR #22-477870

Dear Mr. Rowe,

Investigators are not permitted to release any case documents. That is why your requests for documents were forwarded to the FOIA office. If you would like to follow-up with them about your requests, their contact information can be found on their website <https://www.hhs.gov/foia/index.html>

With regard to your fraud allegations, OCR sent them to the HHS Office of Inspector General (OIG). If you would like to contact them, here is a link to their website <https://oig.hhs.gov/about-oig/contact-us/>

Regarding your concerns about OCR resolving your complaint by providing technical assistance to HCA Florida Highlands Hospital. HIPAA allows for OCR to provide technical assistance to covered entities to help them voluntarily comply with the Rule. Please see 45 C.F.R. Sec. 160.304(b).

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



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missionlen@hotmail.com

From: Wyatt Rowe
Sent: Friday, June 24, 2022 4:35 PM
To: Petty, Courtney (HHS/OCR); missionlen@hotmail.com
Cc: Senator Rick Scott (imailagent
Subject: RE: OCR #22-477870

Dear Ms. Petty,

I am sorry you refuse to follow through with your decision according to your responsibilities of your department. It is the obligation of OCR to follow the law and responsibilities to prosecute those in violation of the law and the violations of HIPAA Privacy Rules accordingly. OCR has compromised miserably the standards of "public trust" of hard working Americans.

You have compromised my 1st Amendment the right to aggrieve in that citizens have the right to petition the government for redress of grievances.

Just for the record. According to your response to my concerns in the email below sent 6/20/22 you are not going to reply or address my grievances whatsoever formally when you stated in your May 2 & June 17 decisions "*these allegation could reflect a violation of 45 C.F.R. § 164.530(c).*" Please confirm that response please.

I will address the rest of your reply over the weekend.

Thank you.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard

"Semper Paratus," Always Ready



From: Petty, Courtney (HHS/OCR) [mailto:Courtney.Petty@hhs.gov]
Sent: Friday, June 24, 2022 3:47 PM
To: Wyatt Rowe
Cc: Senator Rick Scott (imailagent
Subject: RE: OCR #22-477870

Dear Mr. Rowe,

Investigators are not permitted to release any case documents. That is why your requests for documents were forwarded to the FOIA office. If you would like to follow-up with them about your requests, their contact information can be found on their website <https://www.hhs.gov/foia/index.html>

missionlen@hotmail.com

From: Wyatt Rowe
Sent: Monday, July 4, 2022 10:13 AM
To: Petty, Courtney (HHS/OCR)
Cc: Senator Rick Scott (imailagent)
Subject: RE: OCR #22-477870

Dear Ms Petty,

6/20/22 I made a simple request to you asking you for a copy of the fraud complaint to what I absentmindedly at the time said was sent to DHS (see email below). Upon review I was wrong about the sender. It was according to the footnote OCR closing their investigation a 2nd time 6/17/22. In that footnote they stated "relevant allegations", I assume fraud is relevant, and relevant allegations were sent (referred) to the "Department of Health and Human Services, Office of Inspector General" not DHS (see snippet below). My mistake.

¹ OCR has determined that it will not further investigate these allegations. OCR has referred the relevant allegations to the U.S. Department of Health and Human Services, Office of Inspector General.

According to my research, you have 5 business days to reply to all simple request. Well it has been 2 weeks since I asked for a copy of the fraud doc you sent to the IG office and the IG has not replied. I still have not heard from anyone. So I am asking you again for a copy of the fraud complaint. I need the copy of the actual document as proof they were contacted and when they were indeed contacted by your office, that's all. Without proof, it would be "allegedly" they were contacted by you. Otherwise I could be running around in circles contacting multiple 3rd parties. It is always better, more efficient, quicker, respectful and so much easier for everyone to contact the original source and get simple information from the original source. Thank you.

Additionally you stated in the email I am replying to "Your request has been submitted to OCR's FOIA office". Could you also send me a copy of "request has been submitted" you sent to OCR's FOIA office. I am just asking for all the same reasons just mentioned as to the who and when was the proof of service. Thank you.

If by any chance there is any hold up to my request, please let me know what the hold-up is.

Your responsibility, your transparency and your cooperation is integral to all Americans you represent and serve, particularly to American's Civil Rights. Thank you for your service.

So, thank you for your time and have a great week helping citizens and I will be looking forward in hearing from you soon.

PS. There is some other information in my case I asked for as well and I still have not heard from. It is pretty much simple victim rights questions and I will get back you later in the week.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard

"Semper Paratus," Always Ready

A handwritten signature in black ink, appearing to read 'LWR III', with a stylized flourish at the end.

missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Tuesday, July 5, 2022 10:29 AM
To: Wyatt Rowe
Cc: Senator Rick Scott (imailagent
Subject: RE: OCR #22-477870

Dear Mr. Rowe,

As stated in my previous email, your requests for documents was sent to the HHS FOIA office. This includes your request for a copy of OCR's referral to OIG.

The Region sent your request on June 23rd. If you have any questions about the status of your request, you will need to contact the FOIA office directly. Again, here is a link to their website <https://www.hhs.gov/foia/index.html>

The document that was sent to the OIG's office, is the 26 page complaint that you filed with Sen. Scott's office. It was sent to OIG on June 17th, and at OIG's request, re-sent on June 23rd. Again, you will need to contact OIG directly with any questions about their review process <https://oig.hhs.gov/about-oig/contact-us/>

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
courtney.petty@hhs.gov



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한국어 – Korean – 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.

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missionlen@hotmail.com

From: Wyatt Rowe
Sent: Wednesday, July 6, 2022 12:09 PM
To: Petty, Courtney (HHS/OCR)
Subject: RE: OCR #22-477870

Dear Ms. Petty,

Thank you for returning my email. Albeit I don't agree, but I respect your decision albeit I don't agree with. Let me explain why I don't agree. Unfortunately there is no short answer.

With all due respect, "FIOA" does not seem to have the documents in the "simple request" I asked for in this email. You stated "The Region sent your request on June 23rd. If you have any questions about the status of your request, you will need to contact the FOIA office directly" I need proof from the "Region" it was even sent and when it was sent. They already violated the 5 business days for this "simple request" and I fear without evidence from you, it could take 20 or more business days or who knows how long. The documents I requested are as simple a request anybody could reasonably ask for. For what reason are you delaying a "simple request" with the intervention of a 3rd party? So I get the document and there are problems with the documents, it goes back and forth between you and the intervening 3rd party and takes months to get answers between all parties. I think it is harmful to do business this way when it definitely is not prudent business practices, it is not expeditious, it violates victim's rights and is not in the interest of justice or even common business sense. FOIA is in the HIPAA Privacy Rules for public record and for outside parties interest and has an exclusion "to withhold "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.""" FOIA is not designed for procedural "victim rights" to get information in the course of investigations of victim's complaints. FOIA as the 3rd party has different rules that could be used to preclude victim's rights in the investigation and then all 3 of us will be playing tag.

Concerning the forgery you stated "The document that was sent to the OIG's office, is the 26 page complaint that you filed with Sen. Scott's office. It was sent to OIG on June 17th, and at OIG's request, re-sent on June 23rd." As to transparency I haven't heard from OIG. Requesting a copy of the document you sent OIG is just documented proof from the "Region" it was even sent and when it was sent to "the OIG's office" on June 17th and the 23rd. I have every reason to believe that "the OIG's office" will be just as difficult as OCR has presented themselves and more reason I need the original document I requested. When and if you send it to me, just send me one of the documents with a short explanation in the email that the same was sent on the other date. Easy, peasy. Again I need the proof so that "the OIG's office" and my complaint are on equal ground in discussions. It appears in the June 17th decision you left out the forgery complaint in that decision when you said you passed the forgery complaint to "the OIG's office". Not including the forgery is a significant exclusion in my complaint and by leaving it out, the decision is remarkably lessened to the "technical assistance" determination. I have no problem with you forwarding the forgery to "the OIG's office"; however, the "the OIG's office" should make a determination if the HAC document meets threshold of forgery according to the HIPAA Privacy Rules and not so much criminally. In civil court such a complaint standard is the preponderance of evidence and need only prove the defendant acted negligently with a 51 percent degree of certainty. That same lower standard

should apply to the HCA forgery as well. Upon OIG's determination, and it has decided the standards of forgery was a violation, then such should be included and decided in your final decision with all the other complaints and the other complaints connected to the forgery. That exchange with OIG described is exclusive between you and OIG in order to come up with a final determination of the total. This forgery has to be concluded and included before you make your final decision. This is all a part of victims rights that I will further explain further on down.

You have turned my complaint into a party whereby you brought 2 more parties into the investigation and making me responsible to these parties. I might have to bring in another a party. You brought in to 2 more for me to answer to and I might bring in one more for you to answer to. That's not right that you treat victims this way.

Understand if you continue to not to answer directly to all my "simple request" and continue not to respect me as a person, nor respect all my simple rights and all my simple victim rights, there will more paperwork, more emails, and longer messages. It is that simple and OCR is making it more lengthy and more difficult to my simple rights. If you ignore me, see the end of this document.

As it stands the weight of non-compliance, OCR weighs in the heaviest in my "simple request." Personally, you have the heaviest burden. If you are going to blame it on your "supervisor" that you have mentioned in our phone call, what is your supervisor's name and title? If you are not going to reveal the Supervisor's name, then the weight is more heavier on you. I advised you not to go the FOIA route in this "simple request." So what is the supervisor's name? Let that be part of the record I asked of such.

- In the course of the exchanges in this matter and as a victim in the matter, I requested reasonable, essential information integral to my victim rights to my complaint several times over and OCR has hardly complied. OCR has placed me in almost exclusive darkness to my case.
- As a victim in the case, I have rights to every reasonable part of the investigation as does the millions of citizens compromised as well. OCR should have voluntarily provided case details during the investigation.
- I have no idea if HCA has admitted to any of the violations in my complaint and as a victim I have a right to know.
- I have no idea to what HCA is going to do or not do.
- I have no idea what you required HCA to do.
- I have no idea if HCA is going to modify and improve their check-in procedures and if so, what are those modifying procedures and is it in writing and if so please send me a copy.
- I have no details what OCR said or answered to during the course of the investigation.
- I have not received anything from OCR if the complaints I filed violated any HIPPA statutes. The best I got is "could".
- In the June 17 decision OCR states "*These allegations could reflect violations of 45 C.F.R. § 164.530(c), §164.508(b)(4)...*" So what is OCR's meaning of "could"? Does OCR mean none of my complaints are not HIPAA violations, but they "*could*"? Where in the HIPPA statute does it refer to "*could*" violations and how is it defined and if it is considered a violation?
- Are all my complaints determined as "*coulds*"? If so WHY?
- What is the difference between "*coulds*" and "*shoulds*" and *determined is*? How did you determine my complaints as "*coulds*"? I have a right to know this.

- Why aren't seatbelt violations "*coulds*" and *technical assistance* provided?

OCR has not informed me with any definitive decision to all my complaints other than "coulds."

Please let me know what OCR determined if HCA violated HIPAA Privacy Rules when HCA impounded my DLs and what was the resulting action?

Please let me know what OCR determined if HCA violated HIPAA Privacy Rules when HCA required me to where a badge in the waiting area and the rest of the hospital. What was the resulting action?

Please let me know what OCR determined if HCA violated HIPAA Privacy Rules if the HCA legal consent form was too difficult for the average patient to understand and what was the resulting action?

Please let me know what OCR determined if HCA violated HIPAA Privacy Rules when HCA forged the consent form document. What was the resulting action?

Please let me know what OCR determined if HCA violated HIPAA Privacy Rules when they denied me services because I did not sign the HCA legal consent form and what was the resulting action?

So with that said and as a victim in this investigation and a case that has not been resolved on both sides of the aisle, and victim rights transparency compromised, please state what authority entitles you to withhold my "simple request" and pass it on to third parties in the middle of the investigation, complicating my request. What is the authority?

Let me discuss victim's rights in criminal cases. Those rights are hardly different crimes of HIPAA Privacy Rules violations. If they are different, please explain which rights are different and the "authority" that makes those victim's rights different. i.e. what authority and what are victim rights in the HIPAA Privacy Rules complaint procedures?

In the last 30 years there have been tremendous strides in the creation of legal rights and assistance programs for victims of crime. Here are some of the core rights for victims of crime include:

- The right to be treated with fairness, dignity, sensitivity, and respect; (I think I have made clear this has been denied to me particularly when OCR suppress almost every detail of decision makings)
- The right to attend and be present at criminal justice proceedings; (I don't even know what happened during those proceedings. Nothing!)
- The right to be heard in the criminal justice process, including the right to confer with the prosecutor and submit a victim impact statement at sentencing, parole, and other similar proceedings; (I was never interviewed or consulted or given any opportunity to submit any impact statement at or before sentencing of the "*technical assistance*" sentence.)
- The right to be informed of proceedings and events in the criminal justice (HIPPA Privacy Rules justice) process, including the release or escape of the offender, legal rights and remedies, and available benefits and services, and access to records, referrals, and other information; (April 11 I filed my HCA complaint. I never heard a word, nor was I ever asked anymore of my case when OCR decided my case on May 2 and I heard nothing else in between. It was not until June 16 that I could actually read the May 2 decision and that only happened with the help of Senator Scott.)
- The right to protection from intimidation and harassment;
- The right to restitution from the offender; (Nothing has been ever mentioned in this regard, one way or the other. Not5hing! I don't even know if I have that right.)
- The right to privacy;

- The right to apply for crime victim compensation; (Nothing has been ever mentioned in this regard, one way or the other. Nothing! I don't even know if I have that right.)
- The right to restitution from the offender; (Nothing has been ever mentioned in this regard, one way or the other. Nothing! I don't even know if I have that right.)
- The right to the expeditious return of personal property seized as evidence whenever possible;
- The right to a speedy trial and other proceedings free from unreasonable delay; (1 1/2 months to finally be able to read their May 2 decision is not exactly speedy or reasonable.)
- The right to enforcement of these rights and access to other available remedies. (OCR denied me as a victim to enforce appropriate penalties for HCA in their HIPAA violations. Enforcement rights were denied when the only penalty was "*technical assistance*". Why can't Police Department enforce "*technical assistance*" in seatbelt violations instead of \$132 fine? HCA violations and OCR's insufficient penalties affects millions and a seatbelt violation is strictly personal.)

So with that said, you have denied me practically every victim's rights during the entire procedures, from start to the unfinished. OCR took 1 1/2 months to decrypt and make readable to me their May 2 decision and that makes you more culpable to all your denials of my victim rights requests to this very day.

When a victim makes simple request for documents and answers to questions, please state the authority in the course of the investigation that entitles OCR to forward all victim rights request to the FOIA office before, during and after the investigation.

Lastly; you didn't hear from me for a week. I am preparing to file an injunction in federal circuit court against OCR for obvious reasons. I got most of all the evidence compiled and simplified and the only thing left is to prepare the complaint document to the standards of the court and prepare the necessary forms to submit to the court. I expect to file such in the next 2 weeks. **Note you have been advised.**

Understand I am not making it hard for you. You are making it incredibly hard for me when it comes to my rights. If you just played by the rules, this would have been over with 2 months ago. And here we are. We both have more important and better things to do. "Do Your Job" and don't be God. We all make mistakes and most of the people who have integrity and organizations of integrity learn from mistakes. If it comes down to a court proceeding, OCR has a lot to explain and more of a waste of my time, your time and the court's time. I think my case is clear and provable and any judge with integrity would rule in my favor. But the question is, does the judge have integrity. That's the chance we both are taking.

As to "OCR also provided Mr. Rowe with education regarding individuals' amendment rights...(6/17/22 sent to Senator Scott)" That statement is condescending and patronizing that reflects OCR's lack of treated with fairness, dignity, sensitivity, and respect. Mr. Rowe has provided OCR with an education to HIPAA victim rights, simple request rights and procedures and other rights too individuals in OCR HIPAA complaint procedures that can be found in most internet search engines. Whether OCR learned anything, hopefully they have.

So as already mentioned, we might have to let a court decide if you continue compromising my victim rights and more particular to this FOIA thing that OCR has never provided me the authority "As stated in my previous email(s)..." and then let the court educate OCR as well. June 17 never stated it replaced the May 2 decisions, so we have 2 decisions in the same case. Such is ironic when you read the other June 17 document "consolidating" a single instance of a Transaction Number which can be construed as a cover-up for OCR mistakes made. This is more culpability to my arguments of OCR procedures if it goes to court.

I advise to we have a phone conversation on all this and see if we can come up with a simple easy solution. If you agree, let me know what time and date works best for you. Note; you have been advised.

Thank you.

Leonard Wyatt Rowe III

15 Year Veteran, United States Coast Guard
"Semper Paratus," Always Ready



missionlen@hotmail.com

From: Petty, Courtney (HHS/OCR) [Courtney.Petty@hhs.gov]
Sent: Thursday, July 7, 2022 7:40 AM
To: Wyatt Rowe
Cc: Chirila, Robert (HHS/OCR)
Subject: RE: OCR #2Chirila, Robert (HHS/OCR)2-477870

Dear Mr. Rowe,

My supervisor's name is Robert Chirila. He is cc'd on this email.

Thank you,

Courtney Petty, JD, MPH
Investigator
Office for Civil Rights, Southeast Region
U.S. Department of Health and Human Services
61 Forsyth Street, S.W., Suite 16T70
Atlanta, GA 30303
(404) 562-7521
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English – If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.

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中文 – Chinese – 如果你讲中文，请拨打1-800-368-1019（打字电话：1-800-537-7697）。你将被连接到一位讲同语种的翻译员为你提供免费服务。

Tiếng Việt – Vietnamese – Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.

한국어 – Korean – 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락 주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.

Tagalog (Filipino) – Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-369-1019 (TTY:1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.

Русский – Russian – Если вы говорите по-русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно.